

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JANUARY 11, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
SJHS Representative:	Stuart Shumway

Also present were: Marsha Keele; Jeff Black.

1. Minutes of City Council meeting held December 28, 1983 were approved.
2. The Council briefly considered a proposal by Mr. Ned Smith relative to the City of Blanding accepting a cul-de-sac at approximately 625 South, easterly from 200 East Street as a part of the City's street system. The Council agreed that the matter should be tabled until such time as a map or plat of the area is available.
3. Mayor Bradford discussed with the Council the status of the Headstart Program in San Juan County, indicating that the San Juan County Board of Commissioners has elected not to administer the program in San Juan County, leaving such administration to the SEUAOG. Such an arrangement will result in the loss of jobs and funding to San Juan County. The Council agreed that Mayor Bradford may represent the City in petitioning the County and SEUAOG for the City of Blanding to be the legal administrative agency for the Headstart Program in San Juan County.
4. The City Engineer discussed the curb, gutter and sidewalk policy with the Council. Following discussion of several proposals, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City's policy be changed to state that the City have full responsibility for street construction from back-of-curb to back-of-curb; that the City create a position for an individual to be in charge of installing curb and gutter on a full-time basis which would be duly advertised in accordance with City hiring policies and a job description to be prepared by staff; that a salary be fixed by the Council at a future date.
5. The City Engineer informed the City Council that the culvert is in place, fill dirt has been brought in and some redesigning has been done on 800 North Street westerly from Blue Mountain Road to the Blanding Utah Stake Center boundary.
6. The City Administrator presented to the Council a proposal for installation of blinds at the Blanding Airport Administration Building by Custom Floors and Furnishings in the amount of \$1093. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the bid of Custom Floors and Furnishings in the amount of \$1093 for installation of blinds at the Blanding Airport Administration Building be accepted.
7. Councilmember Smith informed the Council that he had authorized Chamberlain Construction to replace heating units at the Blanding Airport at a cost of \$235. The Council concurred with the action.
8. Councilmember Johnson discussed the following items with the Council:
 - A. Informed the Council that she had received a phone call from Vivian Redd expressing her appreciation for the City's quick response in placing a dog trap at her home to take care of the dog problem in the area.
 - B. Submitted the name of Kay R. Johnson to be put on the City Economic Development Committee. The Council gave their advise and consent.
9. Councilmember Osborn discussed the following items with the Council:
 - A. Suggested that a letter of appreciation be written to Marsha Keele

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for her work done on the City Economic Development Committee. The Council agreed.

B. Sandy Certonio resigned from the Planning Commission. The Commission would like to submit the name of Russ Stevenson to fill Mrs. Certonio's unexpired term for two more years and to have Hugh Kirkham reappointed for another four year term. The Council gave their advise and consent to this action.

C. On January 27th and 28th the Utah State Office of Education will hold a community workshop in Salt Lake City with the purpose to explore ways in which each of us can work together to improve the quality of life in our respective communities.

D. Presented a chart indicating relationship of Councilmembers to the Planning Commission and assigned Task Committees.

10. Councilmember Pincock inquired about the possibility of a street light on the corner of 2nd North 100 East Street. The City Administrator said that he would have it checked by City crews.

11. Councilmember Smith discussed with the Council the necessity for establishing a policy relative to the number of connections allowable to the water line currently being installed south on U.S. Highway 191. The Council agreed that the matter falls under the assignment of Councilmember Lyman and that subject to study by him and his designees, a resulting recommendation may be acted upon.

12. Stuart Shumway, San Juan High School Student Council Representative, informed the Council that the Student Council and Cheerleaders have earned money on different projects and have purchased a new mascot uniform with the money.

13. The Mayor discussed the following items with the Council:

A. Representatives of various state agencies will be in the community on February 7, 1984 to conduct a series of workshops relative to their assignments in education and community service.

B. The Utah State University Foundation plans on completion of the Halls Crossing Study are to be completed by the end of February, 1984.

C. Elk Ridge Restaurant, Inc. representatives will be present at the City Council meeting scheduled for January 25, 1984 to further discuss their petition to the City for a "letter of consent" necessary to their application to the Utah Liquor Control Commission for a mini-bottle liquor store license.

Meeting adjourned at 9:10 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JANUARY 25, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Dir. of Public Works:	R. Dwight Laws
SJHS Representative:	Stuart Shumway

Absent was Councilmember:

Francis M. Lyman

Also present were: Harold Lyman; Ned Smith; Marsha Keele; Mr. and Mrs. Allan Black; Robert Hosler.

1. Prayer was offered by Stuart Shumway.
2. Minutes of City Council meeting held January 11, 1984 were approved.
3. Mr. Harold Lyman, representative of the City Economic Development Committee, discussed the following items with the Council:
 - A. Reminded the Council that State officials will be here February 7, 1984 to participate in several workshops.
 - B. Informed the Council that the City Economic Development Committee is still putting emphasis in the following areas:
 1. San Juan Center - CEU
 2. Archaeological Development
 3. Cultural Center
 4. Tourism
 - C. Inquired if any further information has been received concerning the possibility of natural gas in Blanding. Councilmember Smith informed the Council that an engineers report on the possibility of natural gas in the Blanding area for use in fueling a power generating plant will be available at the next scheduled Council meeting.
4. Mr. Ned Smith presented to the Council a proposal relative to the City accepting a cul-de-sac at approximately 625 South, easterly from 200 East Street as part of the City street system. Following discussion of the matter, it was agreed that Mr. Smith will contact residents in the area living on the west side of 200 East Street relative to their granting a right-of-way for the official extension of 200 East Street south to a point where it would intersect with the subject cul-de-sac.
5. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-1

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN AGREEMENT WITH THE UTAH DEPART-
MENT OF TRANSPORTATION

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the Utah State Department of Transportation, wherein said department is authorized at their expense to re-route certain Blanding City electric distribution lines to accommodate U.S. Highway 191 re-alignment; that a copy of said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 25th day of January, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

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6. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-2

A RESOLUTION ADOPTING ELECTRIC
UTILITY RATE CHARGES

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the following Electric Utility Rate Schedules be, and they are hereby adopted, effective January 25, 1984, for sale of electricity to the respective class of customers currently being served by the City of Blanding.

001	002	003
<u>Residential Electric</u>	<u>Hot Water Electric</u>	<u>Total Residential Electric</u>
First 60 .143858	First 60 .147808	First 60 .143859
Next 140 .114351	Next 140 .117301	Next 340 .077517
All Other .083283	Next 500 .086232	All Other .060079
	All Other .059959	
007	011	012
<u>Irrigation & Pumping Electric</u>	<u>Commercial Electric</u>	<u>Commercial Electric Heating</u>
First 100 .077124	First 500 .156710	First 99999 .052164
Next 5000 .051257	Next 500 .112738	All Other .052164
Next 20000 .038241	Next 5000 .074614	
All Other .029761	Next 10000 .048590	
	Next 40000 .036353	
	All Other .031573	

PASSED, ADOPTED and APPROVED this 25th day of January, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

7. Motion for adoption of the following resolution was made by Councilmember Johnson, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-3

A RESOLUTION APPOINTING OFFICERS
OF THE CITY OF BLANDING

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the following named persons be appointed to the following offices for the respective periods shown:

<u>Name</u>	<u>Office</u>	<u>Term</u>
Francis D. Nielson	City Administrator	2/1/84 - 1/31/86
	Recorder	2/1/84 - 1/31/86
	Purchasing Agent	2/1/84 - 1/31/86
Velda J. Nielson	Treasurer	2/1/84 - 1/31/86
Karalee Austin	Deputy Recorder	2/1/84 - 1/31/86
John B. Wright	City Marshall	2/1/84 - 1/31/86
	(Ex-officio Chief of Police)	
George M. Low	Justice of the Peace	2/1/84 - 1/31/88
Philip L. Palmer	City Engineer	2/1/84 - 1/31/86
Richard D. Laws	Director of Public Works	2/1/84 - 1/31/86

PASSED, ADOPTED and APPROVED this 25th day of January, 1984.

ATTEST:

~~Francis D. Nielson~~
Recorder

Cleal Z. Bradford
Mayor

8. The City Engineer discussed the following items with the Council:

A. The following letter was read in full to the Council:

January 24, 1984

City of Blanding
50 W. 100 S.
Blanding, Utah 84511

RE: Water Improvement Project
Phase I - Schedule VI
Attn: Philip Palmer - Inspector

Dear Sir;

As General Contractor for the project referenced above, we request a Winter shutdown as of January 14, 1984. Extreme and severe weather conditions force us to make this request. As soon as the snow melts and the frost is out of the ground, we will resume work on the project. We want to complete the project as soon as possible.

We would like a count on contract time and completion day. You will note that we spent considerable time going over the project after the bid opening, for the City's most economical use.

Please inform us of your decision.

Respectfully submitted,

E.A. Black

Following the recommendation of the City Engineer, motion was made by Councilmember Johnson, seconded by Councilmember Pincock and unanimously carried that E. A. Black Plumbing and Heating be allowed a winter shut-down with the City Engineer monitoring the situation and deciding when the project should start again.

B. The Engineer presented to the Council a topographic map indicating the area which would be inundated by water from construction of the embankment at the proposed Starvation Reservoir. The map showed that a capacity of 563 acre feet of water at an embankment height of 6530 feet, a capacity of 774 acre feet of water at an embankment height of 6535 feet and a capacity of 954 acre feet of water at an embankment height of 6540 feet. The project engineering is progressing well.

C. Reminded the Council that February 1, 1984 is the deadline for turning into the County Commissioners the 1984 Street Improvement Program. The Council suggested that a letter be sent to Commissioner Bailey and Mr. Bernal Bradford asking them to meet with the Council on February 8, 1984 to discuss such street improvement program.

9. The City Administrator discussed the following items with the Council:

A. The Monticello City Administrator delivered promotional material to Blanding City advocating affirmative voting in the bond election to be held February 7, 1984 relative to funding the Recapture and Monticello projects of the San Juan Water Conservancy District.

Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the City assume responsibility for one-half of costs of producing the promotional material described above.

B. The Mayor and Administrator met with the Chairman and the local council member of the Ute Mountain Ute Tribal Council relative to a land exchange proposal wherein the City would obtain sufficient acreage to extend the Blanding Municipal Airport runway northerly 1,000 feet. The Ute Mountain Tribal representatives appeared favorable to the proposed land exchange and requested that a formal written land exchange proposal be submitted to the Tribal Council for their consideration at the earliest possible date.

C. In connection with the studies currently being conducted by Blanding City relative to possibly developing an electrical generating system, favorable reports have been received regarding the purchase of natural gas recently discovered in the local area.

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10. Councilmember Johnson submitted the following names for the Parks and Recreation Task Committee:

Susanne Johnson
Pat Seltzer
Patsy Shumway
Bonnie Purcell
LaDawn Lacy

The Council gave their advise and consent to the appointment of such committee members.

11. Councilmember Osborn submitted the following names for the Blanding Area Development Task Committee:

Gary Guymon
Dan Shumway
Letha Shumway
Clyde Watkins
Finley Bayles
Lynn Lee

The Council gave their advise and consent to the appointment of such committee members.

12. Councilmember Pincock discussed the following items with the Council:

- A. At the request of Councilmember Pincock, the Director of Public Works, as supervisor of the dog control program, explained the operating procedures of such program.
- B. Informed the Council that he had received calls expressing complaints relative to the decision of the Council on the curb and gutter policy.

13. Councilmember Smith reported and/or discussed the following with the Council:

- A. Chamberlain Construction Company has made necessary renovations to the heating system at the Airport Administration building and system now appears to be adequate.
- B. Helicopters being operated by energy related companies basing at the Blanding Airport have installed their own fuel facilities and the City is apparently not receiving the allowable tax rebate on the fuel they are consuming.
- C. There are some minor construction items still incomplete at the Airport Administration Building. The City retained a small amount of money from the contractor which should now be utilized to finish such unfinished items.
- D. Following discussion of a proposed airport use agreement by and between the City and San Juan County, motion was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried that the airport authority review such an agreement and make recommendations to the Council relative to the execution of such an agreement.

14. Mayor Bradford discussed the following items with the Council:

A. Submitted the following names for the Alcohol and Drug Task Committee:

Pat Seltzer
Bevan Wright
Lynn Wright
Fred Ochoa
Karen Radisky
Merlin Grover
Cleal Bradford

The Council gave their advise and consent to the appointment of such committee members.

B. The following letter was read in full to the Council:

January 24, 1984

Cleal Bradford
Blanding City
Blanding, Utah 84511

Dear Mayor:

Prior to the winter of 1982-83, the county road crew did a good job of pushing the snow in front of the Job Service Office. Since that time, this section of city street has been virtually ignored.

The recent snow fall and long period of cold temperatures combined to create a new hazzardous situation for anyone coming to the office. The county foreman declined to provide any assistance so we called on the city for help. Phillip Palmer and Dwight Laws responded immediately. They, personally, devoted the time necessary to correct the problem, using city equipment as appropriate.

We really appreciate their prompt response and the good job which they did. Will you please express our appreciation to them and share this thought with the council.

Very truly yours,

Harold J. Lyman
Manager

HJL/bkt

- C. Presented each Councilmember with an agenda of the San Juan Economic and Education Workshop to be held February 7 & 8, 1984.
- D. SEUAOG will be conducting a CDBG Workshop January 31, 1984 at 10:00 A.M. in Price, Utah and at 7:00 P.M. in Monticello, Utah.
- E. Congressman Nielson will be in Blanding February 15, 1984.
- F. The present City Ordinances relative to pornography are restrictive to the point that the Justice of the Peace must impose a fine and jail sentence on all offenders judged guilty.

The Council concluded that the Justice of the Peace and the Chief of Police should be on the agenda for February 8, 1984 to explain the present pornography law and their reasons for wanting it changed.

15. Following discussion of the contract requirements, the Council asked the Engineer to provide an estimate of the time needed for completion of Water Improvements Project I, Schedule VI at the February 8, 1984 meeting.

16. Mr. Bob Hosler expressed to the Council his support and encouragement to continue looking into the possibility of an electrical generating plant utilizing natural gas recently discovered in the area. Mr. Hosler also suggested that the natural gas resource might be made available to commercial and industrial interests.

Meeting adjourned at 10:28 P.M.

Karalee Austin
Deputy Recorder

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MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD February 8, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Dir. of Public Works:	R. Dwight Laws
SJHS Representative:	Stuart Shumway

Absent was Councilmember: Francis M. Lyman

Also present were: Kenneth Bailey, San Juan County Commissioner; Bernal Bradford, Oley Black, San Juan County Road Department Representatives; Russ Stevenson; Ned Billsie; Judy Mainord; Debbie Knight; Betty Pehrson; Gail Glover; Lynda Shumway; Marsha Keele.

1. Minutes of City Council meeting held January 23, 1984 were approved.

2. Commissioner Bailey discussed with the Council conditions relative to the construction of 800 North Street westerly from Blue Mountain Road and the City's 1984 Street Improvement Program. Commissioner Bailey indicated to the Council that if a letter was written to the County Commissioners stating that the City will install curb and gutter along 800 North Street westerly from Blue Mountain Road within one year after construction is completed and, also, send a copy of the City Council minutes showing the City's new curb and gutter policy, the County crew will complete construction of said street immediately.

The Council and the Director of Public Works, representing the Airport Authority, discussed with Mr. Bailey a proposed operating agreement by and between San Juan County and the City of Blanding, relative to the Blanding Airport.

3. Following discussion relative to amending the City Ordinances No. 13-1205 and No. 13-1206, motion was made by Councilmember Smith and seconded by Councilmember Osborn to make the following amendments to City Ordinances No. 13-1205 and No. 13-1206:

13-1205. INDUCING ACCEPTANCE OF PORNOGRAPHIC MATERIAL.

B. A violation of this section is a Class B Misdemeanor. ~~Punishable by a fine of not less than \$100.00 and by incarceration, without suspension of sentence in any way, for a term of not less than 14 days.~~

13-1206. DEALING IN HARMFUL MATERIAL TO A MINOR.

C. Each separate offense under this section is a Class B. Misdemeanor. ~~Punishable by a minimum mandatory fine of not less than \$100.00 plus \$10.00 for each article exhibited up to a maximum \$299.00 and by incarceration, without suspension of sentence in any way, for a term of not less than 14 days.~~

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson Councilmember Osborn Councilmember Pincock Councilmember Smith
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Those voting "Nay":	None
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Those absent:	Councilmember Lyman
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Whereupon the Mayor declared the motion carried.

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4. Mrs. Judy Mainord of the former street and sidewalks task committee discussed with the Council her concern that the City may be abandoning the curb, gutter and sidewalk program as prioritized by her committee. Consensus of the Council was that the former program is not being abandoned but that another street improvement concept is being adopted as policy to enhance street development. It was agreed that the current streets and sidewalks committee will consider this issue and make recommendations to the Council relative to resolving the matter.
5. Councilmember Smith advised that the Airport Authority has reviewed the agreement by and between the City of Blanding and San Juan County relative to operation of the Blanding Municipal Airport and that the agreement requires minor revisions prior to it being presented to the Council for action.
6. The Director of Public Works reported to the Council that the street crew is currently involved in crack sealing on City streets.
7. The City Engineer reported and/or discussed the following items:
 - A. The 1984 Street Construction Program will be presented at the February 22, 1984 meeting.
 - B. The following letter was read in full to the Council:

February 7, 1984

City of Blanding
50 West 100 South
Blanding, Utah 84511

RE: Water System Improvements
Phase I Schedule VI

ATTN: Mr. Philip Palmer
Engineer & Inspector

Dear Sir;

As General Contractor for the above referenced project, our response to your letter dated January 26, 1984 is as follows:

1. 36 working days (Mon. through Sat.) to complete the entire project, plus extra time required for any rock work encountered. Will allow for weather conditions (snow, rain, mud) which prevent working on the project. Does not allow for delays on grubbing Highway 191 right-of-way by State DOT.
2. Start up date February 8, 1984.

Very truly yours,

E.A. Black

Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the conditions of the foregoing letter be accepted subject to close monitoring of the situation by the City Engineer.

- C. The earlier proposed position of supervisor for curb and gutter construction may possibly be filled by a member of the temporary work force currently being utilized under the San Juan Center work program, with supervision by the Engineer and Director of Public Works.

Following further discussion of the matter, motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that Sam Dayzie be compensated the same as other members of the San Juan Center work force; that Thompson Tsosie be offered a position with the City as the supervisor of curb and gutter construction on a temporary basis, commencing with the beginning of the curb and gutter construction season, with a wage increase of \$2.00 per hour.

8. The City Administrator reported and/or discussed the following items:
 - A. Discussions with Mr. Buzz Hunt, Chairman/Director, Utah Division of Community Development, indicated the division would be receptive to an application from the City for grant funds relative to the development of a proposed Cultural Center, Archeological Field Camp and a Science Building for the San Juan Center.
 - B. Further discussions with Mr. Hunt indicated that Blanding City should expect that an application to the Permanent Community Impact Fund Board for water improvements would be considered on a loan/grant three-to-one basis, respectively.
9. Following a discussion of the status of the Notah Tahy utility account, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the utilities be reconnected at Mr. Tahy's residence, 424 South 300 East, for a period of one week.
10. Councilmember Johnson reported the following items to the Council:
 - A. Submitted the name of Stuart Shumway for the Parks and Recreation Committee. The Council gave their advise and consent to such appointment.
 - B. Presented a list of unpaid business licenses to each councilmember.
11. Councilmember Pincock submitted the following names for the Sidewalk Task Committee:
 - Larry Thompson
 - Kent Tibbitts
 - Debbie Knight
 - Craig Halls
 - Grant Lyman
 - Richard Pincock
 - Lynda Shumway

The Council gave their advise and consent to the appointment of such committee members.
12. The Mayor reported and/or discussed the following items:
 - A. Howard Nielson will be at the Elk Ridge Restaurant Wednesday, February 15, 1984. Councilmembers and City staff members are encouraged to be present.
 - B. Upon receipt of proper land descriptions, the State of Utah has agreed to exempt, in addition to that previously requested by Blanding City, the land in the Blanding area being utilized by San Juan County for road gravel purposes, from the "Project Bold" proposal.
 - C. Following an explanation of the Nations of the 4-Corners Organization Structure, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the City of Blanding accept responsibility for approval of appointments to such organization from the City of Blanding; that the following individuals be approved for service:
 - Fred Haliday
 - Stan Bronson
 - Cleal Bradford
 - D. Following discussion relative to City authority to act as the applicant in submitting proposals for funding developments to be utilized by the San Juan Center, College of Eastern Utah; Nations of the Four Corners; and White Mesa Institute for Southwestern Studies, motion was made by Councilmember Pincock, seconded by Councilmember Osborn and unanimously carried that the City Administrator be, and he is hereby, authorized to prepare, and submit to, the Utah Permanent Community Impact Fund Board an application requesting grant funds for use in development of a Cultural Center, Archaeological Field Camp and a Science Building to be utilized by the Nations of the 4-Corners, White Mesa Institute for Southwestern Studies and San Juan Center, College of Eastern Utah, respectively.
 - E. A Hard Times Workshop will be held in Farmington, New Mexico February 13-16, 1984.
 - F. Gave a report on the San Juan Economic and Education Workshops held February 7 & 8, 1984.
 - G. Distributed a copy of the monthly police report to each councilmember.

Meeting adjourned at 10:01 P.M.

Karalee Austin
Deputy Recorder

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MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD February 22, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Richard D. Pincock Don E. Smith Francis D. Nielson Karalee Austin Philip L. Palmer R. Dwight Laws Stuart Shumway
Administrator:	
Deputy Recorder:	
City Engineer:	
Dir. of Public Works:	
SJHS Representative:	

Also present were: Phil Acton; Zelma Acton; Gordon Redd; Kedric Redd; Rex Nielson; Allie Nielson; Calvin F. Black; Carolyn Black; Keith Black; Jeff Black; Bill Redd; Mike Lyman; Kerry Black; Mike Christensen; Buddy Black; Stanley Martineau.

1. Prayer was offered by Francis M. Lyman.
2. Minutes of City Council meeting held February 8, 1984 were approved.
3. Mr. Calvin F. Black, representing Elk Ridge Restaurant, Inc., appeared before the Council relative to an application for a letter of consent to the establishment of a mini-bottle liquor license for the said restaurant. Mr. Black requested that his presentation and the discussion relative to the matter be recorded and made part of the minutes of the meeting by reference; he provided recording equipment. No formal permission for such recording was granted by the Council; however, the recording was accomplished through acquiescence by the Council.

The following letter was read in full by Mr. Black:

Honorable Mayor and City Council:

Elk Ridge Restaurant Inc. respectfully requests the previous letters of November 19, 1983 and December 21, 1983 along with:

1. A copy of the Utah Liquor Control Act.
2. A copy of an L.D.S. Conference address by Elder Marion D. Hanks entitled "Agency and Love".
3. A copy of a portion of an article on the "Marriotts" in "This People" magazine of October-November, 1983.

be considered as being submitted at this meeting as part of our request for your consideration for a "consent letter" for a "mini-bottle" liquor license for the Elk Ridge Restaurant to be considered by the Utah Liquor Control Commission.

It is further requested that this letter and referenced documents be part of such application and that all by reference be made part of the official minutes of this meeting.

It is further requested that all discussion on this issue be tape recorded by the City of Blanding, made a part by reference of the minutes or in the alternative that we be permitted to so record the proceedings.

It is also requested that in the event the "consent letter" is denied that such denial be in writing and that it specifically respond to all issues presented supporting our application and that the reason or reasons for such action be clearly defined.

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As residents, taxpayers, parents and grandparents of the Blanding area we have every wish to have the most desirable community for ourselves, family and friends as does anyone else. We are aware of the serious problems throughout the entire world caused by the abuse of alcohol. We are also aware that such abuse occurs in Blanding as much or more than in similar communities. We, therefore, reject the argument that continued prohibition of a legal commodity solves abuse problems any more than would banning the sale in Blanding of hair spray, tobacco products, cable or regular TV, prescription or non-prescription drugs, fire arms, ammunition or knives would solve abuse of those items.

Statistics show that during a period from 1971 to 1973 and in 1975 which are the only years I have data, incidents of juvenile arrests in Blanding for possession of alcohol or intoxication was 47 compared to only 4 in Monticello. The sale and use of alcohol substitutes is much higher in Blanding than Monticello. One only has to look at empty containers around the streets of Blanding to know that liquor and beer are readily available and consumed by many and which shows illegal consumption on the streets by both minors and those of legal age.

In addition, a "count" was made on rooms rented at the Gateway Motel from April 1 - 16, 1983. From 397 rooms of night rentals there were 164 empty beer cans, 11 liquor and 10 wine containers left in the rooms. There were undoubtedly full or partial containers that were removed by the guests.

As has been demonstrated, legal and controlled sales will not increase the problems but may, in fact, elevate our awareness of and increase our efforts to effectively deal with these problems.

Blanding is facing an economic crisis that has not yet been felt to the extent that it likely will be in the months and even years ahead. In my opinion, nothing in the past is even close to the economic decline we now face. Only oil and gas activity (something we have little basic control over) and increasing tourist and retail sales in Blanding, which we can do something about has immediate potential.

In the second quarter of 1982 grocery store sales in Monticello were \$931,561.00 equal to \$326.86 per person. The same period in Blanding such sales were \$966,230 or only \$240.81 per person, only 74% of that in Monticello. Virtually all factors except one should be advantageous on a comparative basis for Blanding such as distance to outside shopping, adjacency to Lake Powell and potential customers from surrounding areas. Otherwise the only significant difference between the communities is that legal sales of alcoholic beverages are available in Monticello and they ~~are not~~ in Blanding.

Another example of factual data, although not in this area, which illustrates the point, is that a business in Murray, Utah which consists of a convenience store, self serve gasoline and a car wash shows the sales of 1982 totals (not counting gas and car wash) \$25,600 were groceries, \$33,600.00 beer and \$25,900 other sales. This business is profitable. It employs several people. It pays taxes to Murray, Salt Lake County, the State and Federal governments. The conclusions are:

1. The business could not operate without beer sales;
2. There would be no employment or tax revenue from such business;
3. There would be no difference in the amount of beer sold in Salt Lake County in total nor in the problems of abuse or availability to minors.

In the two fiscal years ending June 30, 1982 local option sales taxes received on sales in Blanding and Monticello (after adjusting Halls Crossing and Energy Fuels) were \$61.43 per person in Monticello and on \$35.25 in Blanding.

We believe a change in Blanding with respect to these issues would directly and indirectly lead to an increase in total retail sales of up to 25% as compared to what they will be if we continue the status quo. This would also result in increased revenue to the city and increased jobs from that which will otherwise occur. Again we also believe there will be no increase in the associated problems.

Now, as to the concern of some with respect to the "religious and moral" issue. It is our belief that to allow the sale of products and/or services (which are legal) sets no new precedent and violates no ones religious or moral beliefs. Commodities are being sold, used and watched every day in Blanding which is contrary to the personal religious beliefs of the majority of the people here. Many L.D.S. members in good standing even Stake Presidents, Bishops and Councilers sell all these products in their businesses. Even the L.D.S. Church advertises such products daily over KSL TV and radio and throughout the entire Bonneville network.

We do not have to embrace someone else's beliefs or practices simply because we allow them the right to believe and practice something different.

This principle is probably best exemplified by the recent Conference address by Elder Marion D. Hanks entitled "Agency and Love". Among other things Elder Dunn says God... "will not impose on our free agency", and ... "his love does not take the course of neglecting or smothering our privilege to choose, or our responsibility to account for what we choose and to experience the consequences". He further states, "If we do not really love and really believe in free agency, we may be inclined to impose our will on others for what we think is their best good. If we love enough, we will not do that, even at the risk of failure. But in matters of conscience and faith, if we truly love we will never seek to impose our will and deprive others of their agency. That is, after all, Satan's way", unquote.

In a recent article on the Marriotts in "This People" magazine, Mr. Bill Marriott, Sr., founder of the company and President of the Washington, D.C. Stake, at the time, was concerned about selling liquor in their hotels, which they knew they must do to compete in the business world. He prevailed on President David O. McKay for advice. Bill Sr. said that the prophet advised him to run good, decent, high-class hotels and that he realized liquor sales might be necessary to compete in the hotel business. The article goes on to add that the Marriotts also have a Book of Mormon in every one of their 52,303 rooms from Seattle to Saudi Arabia.

We might ponder the question, from a religious perspective. How many more people come in contact with the L.D.S. Church by virtue of the Marriotts being successful in business, selling something they personally do not use or believe in, but providing a "contact" by virtue of the Book of Mormon, good publicity and personal exemplary lives?

How many people in Blanding, both visitors and residents do we offend by our "aura" of intolerance and violation of their right of choice, from their point of view, who otherwise might have become interested in the L.D.S. message? How many tourists do not even stop in Blanding because of the lack of services they believe they have the right to and thus never have the opportunity to get to know and appreciate us and we them?

We cannot conclude our plea without a comment on a point that will be brought up, with respect to the "mandate of the people" as evidenced by the vote on the issue of "selling beer in Blanding".

First, we believe that vote on the county wide issue, 629 for prohibition to 603 against in the Blanding area to be a more accurate reflection of overall attitudes on this issue because L.D.S. Church leaders did not take a position in Church or using their leadership positions.

Secondly, the "public opinion vote" later had intense urging from L.D.S. local Church leaders in and out of church advising people on the issue. Even then 626 people, three less than the earlier election voted for prohibition. While only 164 voted for "selling beer" in Blanding, there were 342 people who did not vote. We believe the majority of those people did not wish to vote in opposition to the counsel of their church leaders but also did not wish to vote against the rights of others and their free agency.

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Within the past year recommendations have been made that the sale of beer and alcoholic beverages be allowed in Blanding based upon studies which indicate this would improve our economics and not create additional problems. Such recommendations have been made from local businessmen, from the Tourism Department of Utah State University, from the Retail Development Committee and the Travel Committees of Blanding last year.

Recently the Economic Development Committee appointed by the City Council voted 4 to 1 to support the application of Elk Ridge Restaurant for a mini-bottle license. Support has also been voted unanimously by the Board of Directors of the Blanding Chamber of Commerce, in addition, the majority of business people in the Blanding area have signed a statement of support.

We understand the concerns of all those interested in this issue. We especially recognize the burden and responsibility placed on the Mayor and City Councilmen. We believe we have responded to those concerns. Remember that a mini-license does not authorize the sale of beer. It does not allow anyone to "just have a drink". The mini's and "wine splits" can only be purchased and used by someone over 21 years of age with the consumption of a meal.

There are many opinions as to the results ranging from disaster to improvement of business opportunities and increased revenue if our request is approved. If the council would approve our request and if we subsequently receive a mini-license from the Liquor Control Commission, we would agree that in the event after a reasonable trial period and experience, the Council determined that it should not be continued, we would voluntarily give up such license and not re-apply for another.

We respectfully urge you carefully weigh and fully consider our request.

Sincerely,

Elk Ridge Enterprises

Mr. Black requested that the following items of information be made a part of the minutes , by reference:

1. Incidence of Juvenile Detention in San Juan County January 1971 to May 31, 1973
2. Incidence of Juvenile Detention in San Juan County for 1975
3. Time Magazine, March 7, 1983, pgs. 10-11; American Scene, In Alabama: Voting Dry and Practicing Wet
4. Alcohol Related Arrests By District and County For Calendar Years 1978, 1979 and 1980.
5. Excerpts from the story of the Latter-Day Saints by Arrington, pgs. 468, 469, 487 and 488.
6. Montezuma Valley Journal, Fri. Jan. 6, 1984, pg. 2A, Editorial Opinion.
7. Undated article from Morehead City, N.C., County Takes Action, Church Softball League Bans Mormon Teams.

Following the rather lengthy foregoing presentation and discussion by the Council and citizens present, the Council concluded that other matters of business needed to be addressed and deferred any further discussion to a later time.

4. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried:

RESOLUTION NO. 1984-4

A RESOLUTION REVISING THE BLANDING
CITY SEWER USER CHARGE SYSTEM

BE IT RESOLVED by the City Council of the City of Blanding Utah that the following charge schedule be appended to the Blanding City Sewer User Charge System:

The fee for dumping sewerage collected by service trucks from various septic facilities and like individual sewer treatment systems shall be \$20.00 for each One Thousand gallons with a minimum of \$10.00 for dumping Five Hundred gallons or less at a given time.

PASSED, ADOPTED and APPROVED this 22nd day of February, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. The Director of Public Works informed the Council that the street crews are continuing crack sealing and are installing a drainage culvert at 100 East 200 North Street.
6. The Engineer discussed the following items with the Council:
- A. The consulting engineers, Creamer & Noble, have been advised that the March 1, 1984 deadline for completion of preliminary engineering on the Starvation Reservoir is critical. Said consultants advised that the work is on schedule.
 - B. A meeting organized by me was held on 2/15/84 with Soil Conservation officials, Blanding Irrigation Company and other farm land owners who might be benefited by an irrigation system developed in the area of the Starvation Reservoir, for the purpose of advising them of possibilities in connection with such development and to ascertain if they may be interested in pursuing the same.
 - C. E.A. Black Plumbing and Heating is making good progress on Water Improvements Project Phase I, Schedule VI.
7. Following discussion of the 1984 Streets Improvement Program presented to the Council by the City Engineer, motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the following 1984 Streets Improvement Program be approved:
- 1984 Streets Improvement Program
City of Blanding
- A. Seal Coat (Blue Chips-Final Armour Coat)
 - 1. 200 South (2E.-3E.)
 - 2. 400 North (2W.-3W.)
 - 3. 100 West (4S.-5S. West side)
 - 4. 100 West (5N.-9N.)
 - 5. 800 North (Main-3W.)
 - 6. 400 North (5W.-Edge of Cedars by S.J. County)
 - 7. 400 North 100 West (Dip needs seal coat-handwork City crews)
 - B. Armour Coat
 - 1. 100 West (2S.-4S.) 2nd Ply West Side
 - 2. 100 West (1S.-2S.) 1st Ply Preparation Required
 - 3. 100 West (Center-1N.) 1st Ply Preparation Required
 - 4. 800 North (3W.-4W.) 1st Ply Preparation Required
 - 5. 500 North (1E.-2E.) 1st Ply Preparation Required
 - C. New Construction (Prioritized)
 - 1. Elderly Housing at 1E. & 1S. (West & North)
 - 2. 800 North (Main-1E.) Subbase Grade, Pitrun (6"), Crushed Gravel (3")-30 ft. min.
 - 3. 200 East (Center-1N.) 50 ft. wide grade subbase, pitrun (6"), crushed gravel (3")
 - 4. 300 West Widening (Center-550 N.) 32 ft $\frac{1}{2}$ width west side only 6" pitrun, 3" crushed

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5. Build to new curbs as they are installed, 6" pitrun, 3" crushed
6. Canal Culvert (3E @ 550 S.) 48" Ø X 80 ft.
7. Pioneer Estates widening 40 ft. total width (this years priority)
 - a. Pioneer Road (Hwy 191-1E.)
 - b. 100 E. (575 S.-Pioneer Rd.)
 - c. Moki Drive
 - d. Rogers Lane (Hwy 191-1E.)

SPECIAL REQUEST:

Two projects are listed as special requests to San Juan County for construction this season:

1. 800 North (100 E. Blue Mtn. Rd. to Highway 191)
Construct to a minimum 30 ft. width-gravel surface
2. 400 West Widening (Center Street-800 North Nursing Home)
45 ft. total width.

D. Planning Stage

1. 5 North (1E. to Hwy 191) near Social Services
2. 600 West (550N. Westwater Rd.-200 N.)

E. Drainage Projects

1. 100 East (200 N.-150 N.) Boxes & Culverts-through lot ditches to Stan Martineau
2. 100 North (200N.-150N.) Through lot ditches
3. Ken McDOnald through lot ditches
4. 200 West (200S.-100S.)

8. Following discussion relative to the City's new curb and gutter policy, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the recently adopted City policy relative to curb, gutter and sidewalk construction be revised to include that the City will fund 50% of the cost of concrete for sidewalk construction in those areas previously prioritized as eligible; that a limited period of time will be granted those eligible areas and if property owners do not take advantage of the program they will be by-passed in favor of the succeeding priority area which is prepared to take advantage of the program.

9. The Administrator reported to the Council the following items:

- A. There will be a meeting with officials of UAMPS Tuesday, February 28, 1984 at 6:00 O'clock P.M. at City Hall relative to power purchase proposals.
- B. The Administrator and Councilmember Smith met with Mr. Dee Wamsley Thursday, February 9, 1984 and received and reviewed Mr. Wamsley's Electric Power Study for the City of Blanding.
- C. Application to the Permanent Energy Impact Fund Board of the State of Utah has been completed and delivered.

10. Councilmember Johnson presented to the Council copies of an advertizement by a business firm planning merchandise sales from a base at the Cliff Palace Motel on February 29 and March 1, 1984 and discussed with the Council the control over such business relative to sales tax collection and city business license. The deputy recorder advised that the firm had petitioned for a business license and that no conduct of the business will be permitted prior to obtaining such license.

11. Councilmember Johnson reported to the Council a discussion with Mr. Kay P. Lyman relative to the merits of placing a street light mid-way between 100 East and 200 West Streets on 500 North Street to aluminate the area of the Albert R. Lyman Elementary School parking lot for the purpose of negating apparent night-time misuse of such property.

12. Councilmember Smith informed the Council that the City Attorney is reviewing the airport agreement.

13. Stuart Shumway, representative of the San Juan High Student Council, informed the Council that the Student Council presented a Cross-guard Safety Award to the Police Department.

14. The Council concluded that any further discussion or decision relative to the request of Elk Ridge Restaurant Inc. officials for letter of consent to their establishing a mini-bottle liquor store at such restaurant, be considered at the next regularly scheduled Council meeting.

15. The Mayor informed the Council that there will be a Nuclear Repository Hearing in Monticello on February 29, 1984.

Meeting adjourned at 10:15 P.M.

Karalee Austin
Deputy Recorder

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MINUTES OF AN UNOFFICIAL (NO QUORUM) MEETING OF THE
BLANDING CITY COUNCIL
HELD MARCH 14, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	J. Carl Osborn
	Richard D. Pincock
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Dir. of Public Works:	R. Dwight Laws
SJHS Representative:	Stuart Shumway

Absent were Councilmembers: Clea S. Johnson
Francis M. Lyman
Don E. Smith

Also present were: Jeff Black; Marsha Keele; Lynn Lee.

The Council and Staff discussed the following items:

1. Jeff Black proposed curb and gutter construction on 100 West between 500 and 600 North Streets.
2. Curb and gutter letter by Councilmember Pincock presented for enclosure with proposed contract documents for residents participating in sidewalk installation.
3. Preliminary information from consultants Creamer and Noble on the Starvation Reservoir.
4. Interpretation of private schools in R-1 Zone.
5. Fire hydrant needed in vicinity of the San Juan Nursing Home.
6. Acceptance of the City of Blanding for membership with the ICPA.
7. Mayor reported award of \$100,000 to the City of Blanding from the Utah Permanent Community Impact Board for use in development of educational facilities and cultural center.
8. Mayor discussed with the Council the possible organization of a committee for preparation of the development program in connection with the above stated educational facilities and cultural center.
9. March 22, 1984 from 8:30-10:00 a.m. the High-Level Nuclear Waste Policy Group will meet in the Governors Board Room at the State Capitol.
10. March 19, 1984 from 2:00-4:00 p.m. the Repository Technical Review Group will meet in Room 305 at the State Capitol.
11. March 15, 1984 the Mayor is on the EDIA Board Agenda to apply for \$12,500 for matching funds relative to the educational facilities and cultural center development.
12. Mr. Lynn Lee expressed appreciation to the Council on behalf of the San Juan Foundation for efforts in connection with the application submitted to the Utah Permanent Community Impact Board for education facilities and cultural center development funds.

In the matter of the Jeff Black curb and gutter proposal, the Councilmembers present agreed that Mr. Black could proceed with his proposed curb and gutter installation and such action by those present would be ratified at the next regular meeting.

Meeting adjourned at 8:50 P.M.

~~Karalee Austin~~
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD MARCH 28, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Absent was Councilmember: J. Carl Osborn

Also present were: Cyd Perkins; Steve Creamer; Steve Layton.

1. Prayer was offered by Councilmember Smith.
2. Minutes of City Council meeting held February 22, 1984 were approved.
3. The Administrator read the following letter to the Council:

February 3, 1984

To Mayor Bradford and the City Council:

We, the undersigned residents of the Juniper Village Apartments at 120 E. 100 S. Street, would appreciate your consideration and cooperation in the following matters:

1. There is a large tree on City property in front of the J. Glen Shumway residence at 76 East 100 South Street. The tree shades the street so that the snow and ice cannot melt. Mr. Shumway refuses to do anything about this problem. Since the tree is on City property, we were hoping the tree could be removed.
2. The walk in front of Motor Parts and the Randee Bayles Shop is shaded by the buildings so that the snow and ice do not melt.
3. On the north side of the street, where the sun can melt the snow and ice, Jerry Holliday parks his cars, trucks and heavy equipment across the sidewalk making them impassable.

Consequently, because of the conditions on the north and south side of 100 South Street between Main and 100 East Street, we must walk in the street to go to and from town. We feel that this is hazardous for us and would appreciate your assistance in anyway.

It would also be appreciated if some gravel could be placed between the sidewalk and curb on the north and west side of our apartments to replace the mud we now cope with.

Your cooperation relative to the above matters is greatly appreciated.

Respectfully,

Margaret Latham
Wanda Farabee
Rose Marie Gravelle
Maurine Burnett
Patsy Howell
Gretchen M. DeHaan

Mariana Glover #3 I would like done but I do not care to see any trees cut down.
Dorothy Carey #2
Anna Feinauer
Mrs. Oleson

The City will advise Juniper Village residents that the Curb, Gutter and Sidewalk Committee will consider possible prioritizing of 1st South Street between Main and 1st East Street relative to curb, gutter and sidewalk installation; that the City will negotiate with Mr. J. Glen Shumway relative to pruning the shade tree which precludes thawing of ice on 1st South Street during winter

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March 28, 1984 cont'd.

months and the area from the existing curb to the currently surfaced street adjacent to the Juniper Village Apartments is scheduled for bituminous surfacing during the ensuing construction season.

4. Cyd Perkins, public relations chairman for San Juan Education Week, informed the Council the College of Eastern Utah, San Juan Center, would be sponsoring an Education Week April 9-14 and briefly gave an idea of what would be taking place during that week.

Following discussion, motion was made by Councilmember Johnson, seconded by Councilmember Pincock and unanimously carried that the City donate \$100.00 to the CEU Education Week from the City Education and Promotion Budget.

5. Steve Creamer and Steve Layton, Creamer and Noble Consultant Engineers, presented the preliminary cost estimates for construction of the Starvation Reservoir.

The Mayor and the consultant engineers will meet with Buzz Hunt, chairman of the Utah Permanent Community Impact Board, and Larry Anderson of the Utah Board of Water Resources on April 6, 1984 at 1:00 p.m. to discuss the matter of funding construction of the Starvation Reservoir.

6. Upon recommendation of the Administrator, motion was made by Councilmember Lyman, seconded by Councilmember Pincock and unanimously carried that the City of Blanding become a member of the American Public Power Association.

7. Councilmember Johnson submitted the name of Steve Palmer for the City Economic Development Committee. The Council gave their advise and consent to such appointment.

8. Following discussion, motion was made by Councilmember Johnson, seconded by Councilmember Smith and unanimously carried that a street light be placed on an existing pole at approximately 10 East 500 North Street.

9. Councilmember Pincock presented to the Council for review a draft of the 1984 Sidewalk Participation Agreement and an Information Letter to be sent to those citizens residing adjacent to the fiscal years 1983, 1984 curb gutter and sidewalk development priority streets.

Following discussion, motion was made by Councilmember Pincock, seconded by Councilmember Johnson and unanimously carried that the 1984 Sidewalk Participation Agreement and an Information Letter be accepted for utilization during the ensuing construction season.

10. Councilmember Smith reported to the Council on meetings attended in St. George with members of the Inter-Mountain Consumer Power Association and the Utah Association of Municipal Power Systems.

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City negotiate with the Utah Association of Municipal Power Systems for the purchase of electric energy to be wheeled to the Blanding City substation over such power transmission lines as may be required.

11. The Engineer discussed with the Council the permit fees for the San Juan Nursing Home addition.

Mayor Bradford vacated the Chair for the balance of the discussion and any subsequent action on the proposed San Juan Nursing Home addition and Mayor Pro Tempore, Francis M. Lyman, conducted the meeting for discussion and action on such matter.

Motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the City of Blanding waive the building permit fee and reduce the water and sewer connection fees to $\frac{1}{2}$ the regular fee assessment, with the understanding that the said Nursing Home shall be billed for $\frac{1}{2}$ the installation costs of the sewer collection line adjacent to the east boundary of their property.

Mayor Bradford again resumed the Chair and conducted the balance of the meeting.

March 28, 1984 cont'd.

12. Following recommendation of the Mayor, motion was made by Councilmember Johnson, seconded by Councilmember Pincock and unanimously carried that the following individuals be appointed to an Ad Hoc Committee for planning development of the 120 acres west and south from the San Juan Center to be utilized as the San Juan Center Campus and a Cultural Center:

Don E. Smith
Kay Shumway
Philip L. Palmer
Lynn Lee
Harold Lyman

13. Motion was made by Councilmember Lyman, seconded by Councilmember Pincock and unanimously carried that the action of the Mayor and board members attending the unofficial meeting held March 14, 1984 wherein Mr. Jeffrey Black was authorized to construct curb and gutter on the west side of 1st West Street between 500 and 600 North Streets with the City of Blanding furnishing engineering, grading, materials, and use of forms, and Mr. Black providing installation labor, be, and the same is hereby, ratified and confirmed.

14. Mayor Bradford asked of the Council members if they desired to comment on, or further discuss, the matter of a request for a "Letter of Consent" to the establishment of a mini-bottle liquor store by the Elk Ridge Restaurant, Inc. on the premises of the Elk Ridge Restaurant. There being no questions or comments on the matter, motion was made by Councilmember Smith and seconded by Councilmember Pincock that no further action be taken on such requested "Letter of Consent"; and that the decision as recorded in Item No. 6 of the minutes of City Council meeting held December 14, 1983 be unchanged.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson Councilmember Lyman Councilmember Pincock Councilmember Smith
Those voting "Nay":	None
Those absent:	Councilmember Osborn

15. Councilmember Lyman advised the Council that Utah Navajo Industries is considering the establishment of a large printing business in the community which, if carried out, will involve the employment of up to 150 personnel; that such corporation may request from the Council the execution of an Inducement Resolution relative to the obtaining of authority to market Industrial Revenue Bonds for funding such proposal.

Meeting adjourned at 9:33 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A SPECIAL MEETING OF THE
BLANDING CITY COUNCIL
HELD APRIL 18, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Francis M. Lyman J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Dir. of Public Works:	R. Dwight Laws

Absent was Councilmember: Clea S. Johnson

Also present was: Stanley Bronson, President of Blanding Chamber of Commerce.

1. Prayer was offered by J. Carl Osborn.
2. Minutes of City Council meeting held March 28, 1984 were approved.
3. The following letters were read in full to the Council:

April 13, 1984
533-4207

The Honorable Mayor and City Council
City of Blanding
P.O. Box 58
Blanding, Utah 84511

Dear Mayor and City Council:

Re: Safe Drinking Water
Committee Open Forum

The Utah Safe Drinking Water Committee is holding an open forum prior to its regular monthly meeting. This open forum will be held at 3:30 p.m. in Moab on April 26, 1984 in the County Courthouse Council Chambers located at 125 South Main.

At the open forum the Committee will be discussing the drinking water problems specific to your area of the state. Because you have particular interest in this area, the Committee would appreciate your ideas and participation.

We would appreciate any discussion topic suggestions you have before the meeting so we can suitably address your specific area of concern. We look forward to hearing from you.

Sincerely,

UTAH SAFE DRINKING WATER COMMITTEE

Robert B. Hilbert
Chairman

LJM:br

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April 12, 1984
533-4207

The Honorable Mayor and City Council
City of Blanding
P.O. Box 68
Blanding, Utah 84511

Dear Mayor and City Council:

Re: "Approved" Water System Signs

The Utah Safe Drinking Water Committee and the Bureau of Public Water Supplies congratulates you for operating a water supply system qualifying for an "Approved" rating. To help the public become aware of your achievement we want to give you a certificate and two signs saying that your community has an "Approved" water system.

These signs meet all standards for posting on state highways and the Department of Transportation has graciously given permission for them to be posted on your community entrance signposts within state highway rights-of-way (not allowed within interstate rights-of-way). Local government agencies should be asked for permission to post signs in other locations.

The Safe Drinking Water Committee would like to present you with this certificate and two signs at their next meeting at Moab on April 25, 1984, 7:00 p.m., Council Chambers, County Courthouse, 125 South Main. We invite you or your representative to attend. If someone cannot attend this meeting, please let us know so we can make other arrangements for the presentation.

We can make additional signs available to you upon special request for \$6 each.

If at some future time the water system no longer qualifies for an "Approved" rating the signs will have to be removed, but we earnestly trust that this will not be necessary.

Sincerely,

UTAH SAFE DRINKING WATER COMMITTEE

Gayle J. Smith
Executive Secretary

MBG:br

cc: Southeastern District Health Department

The Council agreed that the Water Supervisor should attend the Utah Safe Drinking Water meeting and forum to be held April 26, 1984 in Moab, Utah, to receive a certificate of approved water system and approved water system signs from such committee, in behalf of the City of Blanding.

4. The Administrator informed the Council that the Annual Regional Financial Training Seminar of the Utah State Auditor and Utah League of Cities and Towns will be held in Price on May 4, 1984.

The Council agreed that the Administrator should attend such meeting.

5. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-5

A RESOLUTION AUTHORIZING THE
EXECUTION OF AN ENGINEERING
AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and Creamer & Noble, Inc., Consulting Engineers, wherein the services of said engineers are contracted for furnishing the basic design for the construction of an earthfill dam for impoundment of culinary water, said project to be known as the Blanding City Starvation Reservoir; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 18th day of April, 1984.

Clea Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

6. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1984-6

A RESOLUTION AUTHORIZING THE
THE SUBMISSION OF AN APPLICATION
FOR GRANT AND LOAN FUNDS TO THE
UTAH NATURAL RESOURCES PERMANENT
COMMUNITY IMPACT BOARD

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City submit an application for \$400,000.00 in grant funds and \$500,000.00 in loan funds, to the Utah Natural Resources Permanent Community Impact Board, for the purpose of funding water improvements consisting of an earthfill dam for the impoundment of culinary water and the construction of a water transmission line from the Johnson Creek water drainage on the Abajo Mountains to the Blanding Water Treatment Plant, said projects to involve the estimated expenditure of additional on hand bond funds in the amount of \$250,000.00 and reserve Electric, Water and Sewer system funds in the amount of \$250,000.00, the total estimated project cost being \$1,400,000.00; that a copy of such application be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 18th day of April, 1984.

Clea Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

7. The Director of Public Works reported to the Council that the current statement of expenditures on the Blanding Recreation Complex has been submitted to the Utah Division of Outdoor Recreation for approval prior to receiving matching funds from such agency.

The Director of Public Works also reported to the Council that curb and gutter has been installed on 100 West Street between 100 South and Center Street and between 300 North and 400 North Streets; the retaining wall behind the fire station is completed; crack sealing has been completed on approximately 80% of the City streets; installation of the backstops at the Blanding Recreation Complex are completed excepting for tying the wire to some portions of the frame; and the shop clean-up is continuing.

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8. The City Administrator reported to the Council that resignations have been received from Harold Mosley and Dwight Laws.

Following discussion, the Council decided that Thompson Tsosie should be offered a full-time position as supervisor of the curb and gutter crew and that he should also assume the responsibility of Shop Supervisor.

Following further discussion, motion was made by Councilmember Pincock, seconded by Councilmember Osborn and unanimously carried to advertise for a lead maintenance worker; that applications be in by May 3 and on May 4 the City Administrator, City Engineer and Councilmember Lyman will screen the applicants for interviews to be held at the next regular City Council meeting May 9, 1984.

9. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried:

RESOLUTION NO. 1984-7

A RESOLUTION OF COMMENDATION

BE IT RESOLVED by the City of Blanding, Utah, that Richard D. Laws, recently resigned Director of Public Works for the City of Blanding, be, and he is hereby, commended for service rendered the City during his tenure as Assistant City Manager and Director of Public Works; that any assistance the City may give with respect to recommendation in his pursuit of other employment should be given under unqualified status; and that he be wished well and success in all future undertakings.

PASSED, ADOPTED and APPROVED this 18th day of April, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

10. The Administrator reported the following relative to the electric system:

A. Wamsley Engineering, consultants on the City's proposal to develop its own electric generating facilities is continuing to obtain information on various types of generating equipment.

B. Creamer and Noble, engineering consultants on the Blanding City Starvation Reservoir project have located three electric generators at Stanford University at a price of \$40,000 each which could possibly be used in the City's proposed development of electric generating facilities.

C. Skyline Oil Company is currently testing their third well located approximately six miles due east of the City of Blanding. Initial reports indicate the well will produce 900,000 cubic feet of gas and 360 barrels of oil daily. It appears there is now available from this area, adequate natural gas for fueling proposed Blanding City power generating units.

11. Councilmember Osborn reported to the Council that Pat Seltzer has resigned from the Planning Commission and he submitted the names of Lea Hurst and Marsha Keele as prospective Planning Commission members.

The Council gave their advise and consent to the appointment of Marsha Keele to the Planning Commission subject to her acceptance of said appointment.

12. Councilmember Smith advised the Council of a discussion with Doug Hunter, Director of the Utah Associated Municipal Power Systems relative to the possible purchase of power from such organization and the wheeling of the same to Blanding; that further information will be forthcoming as to the details of such proposal.

13. The Mayor informed the Council that an application has been submitted to the Utah Division of Community Affairs for Community Development Block Grant funds for development of a San Juan Center Science Building; that because of San Juan County and Monticello City submitting applications for CDBG funds, there is little likelihood of such application receiving favorable support.

Mayor Bradford further advised the Council that a like application for \$50,000 has been submitted to Utah Navajo Development Council for their consideration and passing on to the Utah Department of Indian Affairs for development of the science building project.

14. The Engineer advised the Council of the following:

A. Kenneth Shumway has requested consideration for building a fence on the south side of the Starvation Reservoir property off from the actual property boundary. The Council agreed that fencing will have to follow property lines.

B. E.A. Black Plumbing and Heating, contractor on Water Improvements Project, Phase I, Schedule VI, has used all allowable contract time; that some allowance will be made for the encountering of rock in trenching areas.

15. The City Administrator read to the Council the following bids for City pasture rent:

Airport Pastureland:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Erwin Oliver	\$ 76.49
R. Dwight Laws	63.41

Sewer Treatment Plant Pasture:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Eddie Toledo	\$ 50.00

Motion was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried that the bid proposals submitted by Erwin Oliver in the amount of \$76.49 and Eddie Toledo in the amount of \$50.00 for the airport and sewer treatment plant pastureland, respectively, be accepted.

16. Stanley Bronson, President of the Blanding Chamber of Commerce, presented to the Council the fiscal year 1983-84 Chamber of Commerce budget.

Following discussion, motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City appropriate \$1500 to the Chamber of Commerce budget for the fiscal year July 1, 1983 through June 30, 1984.

Meeting adjourned at 9:40 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD MAY 9, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin

Absent was Councilmember: Francis M. Lyman

Also present were: Craig C. Halls, City Attorney; Doug Hunter, Manager of Municipal Resources, Utah Associated Municipal Power Systems; Susanne Johnson and Bonnie Purcell, Blanding City Parks and Recreation Task Committee; Marsha Keele; Steve Palmer, Blanding City Economic and Development Committee; Larry Richmond; Stephen Olsen, representing Utah State Division of Parks and Recreation; Worthy Glover; and Worthy Glover, Jr.

1. Minutes of City Council meeting held April 18, 1984 were approved.
2. Members of the City Parks and Recreation Task Committee met with the Council to discuss possibilities of hiring a Recreational Director for the community; purchasing playground equipment for a park at the Blanding Recreational Complex; and inquired as to the status of the playground being developed in the area of 800 North and 100 West Street.
3. Upon the recommendation of the City Attorney, motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-8

A RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT WITH THE UTAH
ASSOCIATED MUNICIPAL POWER SYSTEMS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Power and Evergy Sales Agreement by and between the City of Blanding and the Utah Associated Municipal Power Systems wherein the City is contracting for the purchase of electricity; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of May, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

4. Stephen Olsen, representing the Utah Division of Parks and Recreation, informed the Council that the week of June 9, 1984 has been designated as Recreation Week in Utah and that in connection therewith a relative proclamation will be transported by various means from a beginning point at the Four Corners Monument and scheduled to reach the Governor of the State of Utah at a given time. Blanding City will have the responsibility of carrying such proclamation over a route designed to cross the eastern side of the Abajo Mountains to a meeting point with a City of Monticello designee.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that Mayor Bradford prepare and submit to the Governor of the State of Utah a proclamation in support of the proclaimed Utah Recreation Week scheduled for the week of June 9, 1984.

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5. Steve Palmer, representing the City Economic and Development Committee, discussed with the Council the possibility of the City helping to fund City brochures and a City newsletter.
6. Councilmember Johnson submitted the name of Keith W. Black for the City Economic and Development Committee. The Council gave their advise and consent to such appointment.
7. Councilmember Pincock reported to the Council that a group of local businessmen had met and discussed possibilities for Main Street beautification; that a member of such group will be in attendance at a future Council meeting to discuss proposals for the same with the Council.

Mayor Bradford requested that Mr. Sterling Davis, District Engineer, Utah Department of Transportation, be invited to be in attendance at such meeting.

8. Following discussion, motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the City purchase the gasoline storage and dispensing facilities currently owned and operated by Mr. Calvin Black and Mr. Clinton Howell located at the Blanding Municipal Airport; purchase price for the said facilities to be \$3,500.
9. Councilmember Smith discussed with the Council the desirability of completing the bituminous surfacing around the Administration Building at the Airport and the need for a public pay telephone to be located within such building.
10. Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that Francis D. Nielson be appointed a member of the Blanding Municipal Airport Authority.
11. After distributing the monthly police report to the Council, the Mayor commented that he felt the City is fortunate to be served by the law enforcement officers currently constituting the Blanding Police Department.
12. Mayor Bradford reported that he and representatives of Creamer and Noble Engineers, consultants on the Blanding City proposed Starvation Reservoir Project, met with the Utah Permanent Community Impact Board on May 3, 1984 in Salt Lake City, Utah, where, following presentation of an application by the City for construction funds relative to such proposed project, the City was awarded a grant of \$400,000 and loan funds totalling \$500,000 at an interest rate of 4.5%. A letter notifying the City of the award of such funds will be forthcoming in the near future.
13. The City Administrator reported a meeting with representative of Creamer and Noble Engineers, consultants on the proposed Starvation Reservoir Project, wherein the possibility of abandoning the Starvation Reservoir Project in favor of a proposal of such engineers to construct a reservoir at the head of the Johnson Creek pipeline, was discussed.
Following such discussion, said engineers were advised to complete the design of the Starvation Reservoir and related water transmission line consistant with their contractual responsibility.
14. Following review of applications for the position of Lead Maintenance Worker, the Council selected the following five men for interviews at the May 23, 1984 Council meeting:

Lynn Laws
Nyle Bennett
Wade Hancock
Mark Shumway
Todd Hurst

15. The Administrator presented for Council consideration the proposed City operating budgets for the fiscal year ending June 30, 1985 for the purposes and respective amounts following:

General Fund	1,514,951.50
Debt Service Fund	88,137.50
Capital Projects Fund	1,400,000.00
Electric, Water and Sewer	
Operating Fund	1,479,000.00

The Council agreed that the official budget hearing shall be held June 13, 1984.

16. Motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the City contribute \$12,500 from the utilities operating fund to assist in funding the development of a proposed Cultural Center to be located at the west edge of the City.

17. The following letter was read in full to the Council:

March 28, 1984

The Honorable Cleal Bradford
Mayor, Blanding City
50 West First South
Blanding, Utah 84511

RE: Complaint Order

Dear Sir:

I feel that I am being treated unfairly. During the time I was employed by the city, I accrued over one hundred and sixty (160) hours of uncompensated time. I have discussed this matter, at length, with Mr. L. G. Bingham an attorney teaching here at Weber State. He feels, as do I, that I should make a formal demand for compensation for the aforementioned time. The amount, based on my wages while employed with the City of Blanding, is approximately \$1,200.

I have been served a Summons and Complaint asking for payment of a \$672.74 arrearage owed on our Utility Bill. We feel that there has been some miscalculation and this amount of money is greater than we owe. I would like to ask that this amount be absorbed by the city as payment on uncompensated time which I spent on the city's behalf. I provided the city this extra time in good faith as it was required by my job and my Chief.

If this is possible, I will not make a formal demand, through court, for uncompensated wages. I feel that I am not out of line in making this request and that it is more than fair. Please give it your thorough consideration. I hope that we can settle this matter in a way that is satisfactory for both of us.

Sincerely,

Gorden A. Hawkins

GAH/dh
cc: Craig C. Halls

The Council agreed that Mr. Hawkins should be advised that in their opinion he was adequately compensated for services rendered the City of Blanding during his tenure as a patrolman and that he will be expected to effect payment of his delinquent utility account.

18. The Administrator advised the Council on the status of Utah Power and Light Company rate increase requests known as FERC Docket Nos. Er83-247 and ER83-248; that the FERC Staff and Intervenor's Attorneys have concluded the UP&L cost allegations are erroneous to the extent that approximately 30% of the requested increase is unsupportable.

19. The Council reviewed the electric accounts receivable.

20. Councilmember Pincock informed the Council that Mr. R.R. Lyman proposed to the Council that he would provide the labor for the construction of curb and gutter on 300 West between 600 and 700 North Streets if the City of Blanding would furnish engineering, grading, materials and use of forms.

The Council suggested to Councilmember Pincock that he should take the proposal to the Curb, Gutter and Sidewalk Task Committee for recommendations.

Meeting adjourned at 10:43 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD MAY 23, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Also present were: Nyle Bennett; Mark Shumway; Wade Hancock; Larry Richmond; Lynn Laws; Lorraine Laws; William Nakai; Wesley Oshley.

1. Prayer was offered by Councilmember Lyman.
2. Minutes of City Council meeting held May 9, 1984 were approved.
3. The following letters were read in full to the Council:

May 17, 1984

City of Blanding
City Office
Blanding, Utah 84511

Re: Tamara T. Barton
Meg Barton
Date of Incident - May 14, 1984

Gentlemen:

Pursuant to Section 63-30-11, Utah Code Annotated (1953 as amended), and as attorney for Tamara T. and Meg Barton (the "BARTONS"), I hereby give you notice that the BARTONS make claim against the City of Blanding as follows:

1. On May 14, 1984, Mrs. Barton was driving her car on 1st East near the Social Services Building. She was taking Meg, her daughter, and Benjamin Smith to elementary school.
2. As Mrs. Barton turned toward the school, her car struck a steel pipe imbedded in the road that had been loosely covered with gravel. The car stopped abruptly and Mrs. Barton was thrown against the interior of the car.
3. The pipe so damaged the underside of the car that the BARTONS consider it to be totalled.
4. The pipe broke off and was removed by the investigating police officer.
5. The BARTONS make claim for property damage to their car and medical expenses. The nature and extent of any pain and suffering or permanent injury are not yet ascertained, but the BARTONS also make claim for those amounts.

I think this is a clear case of an unsafe or dangerous condition of a highway, road or street as set forth in Section 63-30-8, Utah Code Annotated, for which the City is liable.

I appreciate your prompt attention to this matter.
Very truly yours,
Lyle R. Anderson

LRA:ec
cc: Tamara Barton
Craig C. Halls, Esq.

ABF278

May 21, 1984

City of Blanding
City Office
Blanding, Utah 84511

RE: Tamara T. Barton
Meg Barton
Date of Incident: May 14, 1984

Gentlemen:

I wish to make one correction in the notice of claim dated May 17, 1984. Mrs. Barton was not taking her kids to school, but had just finished dropping off her older kids at school, was going south on First East and was turning onto the road just south of the Social Services building when the accident occurred.

Very truly yours,

Lyle R. Anderson

LRA:ec

cc: Craig C. Halls, Esq.
Tamara T. Barton

The Council agreed that all pertinent information relative to the above letter should be compiled and sent to the City Attorney, Central Utah Insurance Company and E.A. Black Plumbing and Heating for action as deemed necessary by them.

4. Mr. William Nakai, on behalf of the Navajo people in Blanding, made a formal request to the Council that June 4, 1984 be proclaimed as Peterson Zah Day in honor of their tribal Executive Leader who will be in Blanding on said date to speak to the Navajo people.

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the Mayor proclaim June 4, 1984 as Peterson Zah Day within the City of Blanding and that the City make a contribution of \$100.00 to the San Juan Navajo Off-Reservation, Inc. to assist in funding the activities planned for such day.

5. Mr. Larry Richmond, representing youth soccer, reported to the Council the development and success of youth soccer in Blanding. He asked the Council to support the Blanding youth soccer program in the planning of future parks and recreational complexes.

6. Following interviews and discussion of the qualifications of applicants relative to the position of Lead Maintenance Worker, a system of evaluation of the applicants awarded points as follows:

Nyle Bennett - 60
Wade Hancock - 43
Mark Shumway - 49
Todd Hurst - 42

Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that Mr. Nyle Bennett be hired to the position of Lead Maintenance Worker at a beginning salary of \$1250 per month; that Mr. Bennett's service be evaluated 60 days following his starting date of employment relative to possibly increasing his salary at that date.

7. The Council declined to make any changes to the proposed fiscal year 1985 operating budgets scheduled for presentation at Public Hearing on June 13, 1984.

8. The City Engineer discussed the following items with the Council:

A. A drainage problem exists on 200 North Street westerly from its intersection with U.S. Highway 191 and the adjacent property owner, Mr. Keith W. Black, has requested curb and gutter installation participation by the City to alleviate such drainage problem.

It was borne out that such area is outside the corporate limits of Blanding City and that the matter should be addressed by the Task Committee currently studying possible annexation of property to the City.

B. Signs indicating the City limits on U.S. Highway 191 have been destroyed and new ones need to be installed. The Council agree that proper signs should be purchased and placed at the boundary of the City on U.S. Highway 191 and that the recently obtained approved water system signs should be located on the same sign posts.

9. Following discussion, motion was made by Councilmember Johnson, seconded by Councilmember Osborn and unanimously carried that the current curb and gutter policy be amended to state that property owners desiring to install curb and gutter in streets adjacent to their property in areas not currently within the approved priority listing, may do so, subject to the following conditions:

- A. Not less than one block will be completed or where a portion of a block currently has curb installed such block will be completed.
- B. The property owner shall furnish all labor required in such installation.
- C. Budgetary provisions exists.
- D. Both the streets and sidewalk committee and the City Council shall have approved the individual projects, based on their merits.

10. Motion was made by Councilmember Pincock, seconded by Councilmember Osborn and unanimously carried that Mr. R. R. Lyman be allowed to proceed with curb and gutter on the west side of 100 West Street between 600 and 700 North Streets under the amended curb and gutter policy in Item #9.

11. The Mayor outlined briefly for the Council an itinerary of the "Life. Be In It." program being sponsored by the Utah Division of Parks and Recreation Committee during Recreation Week June 9, 1984.

12. The following letter was read in full to the Council:

May 10, 1984

Cleal Z. Bradford
P.O. Box 68
Blanding, Utah 84511

Dear Cleal:

On May 3, 1984, the Permanent Community Impact Fund Board voted to award Blanding City a \$400,000 grant and a \$500,000 loan at 4 1/2% interest, repayable over 30 years in equal, annual installments, with the first payment due on July 1, 1986. The project will be identified as earth fill dam and water transmission lines.

A contract for review and signatures will be mailed to you shortly. Payment of the contract will be subject to the following conditions:

- 1. Submission of a letter to this office from your project engineer declaring that a feasibility study has been completed and that the project is thought to be feasible at a total cost of \$1,400,000.
- 2. Submission of your design plans and specifications to Gayle Smith, Director, Bureau of Public Water Supplies, 560 South Third East, Room 230, Salt Lake City, Utah 84111 for review and approval.
- 3. Certification that the City will provide \$500,000 to complete the project.
- 4. Submission to this office of the approved bid for the project.

Good luck on your project. If you have any questions, please call me at 533-7518.

Sincerely,

Shirl D. Clarke, Administrator
Permanent Community Impact Fund

SDC:nn

ABF278

13. The Mayor inquired as to the progress of Water Improvements Project, Phase I, Schedule VI. The Engineer responded that the contractor, E.A. Black Plumbing and Heating, has stated the project would be completed Tuesday, May 29, 1984.

14. The Mayor advised that, with respect to the proposed Halls Crossing Recreation Community project, the Governor will probably support the project and land use proposal for the same.

15. The following letter was read in full to the Council:

May 22, 1984

Blanding City
50 West 100 South
Blanding, Utah 84511

Attention: Bud Nielson

Dear Bud,

In reviewing the Health Care Services Board meeting of April 17, 1984, they mention a water connection fee of \$5,262 for the addition to the nursing home plus a fee of over \$4,000 for sewer hookups.

The Commission after discussion feels that the sewer charges would be justified but would like to request that the City of Blanding waive the additional water connection fee as we have already paid for and have a water connection.

Thank you for your consideration of this matter.

Sincerely,

Kenneth R. Bailey
Acting Commission Chairman

KB/cth

The Council agreed that the Administrator should respond to the foregoing matter.

Meeting adjourned at 10:53 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JUNE 13, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Absent was Councilmember: Richard D. Pincock

Also Present were: Dana Nielson; Sterling Davis, District Engineer, Utah State Department of Transportation; Brent Gardner, Steve Layton, Creamer and Noble Engineers, Inc.; Lyle Anderson; Hugh Kirkham.

1. Prayer was offered by Philip Palmer.

2. Minutes of City Council meeting held May 23, 1984 were approved.

3. Dana Nielson, representing a group of local businessmen, expressed to the Council their desire that a Main Street beautification plan be initiated.

The Council agreed that detailed plans for such Main Street beautification program should be prepared by the interested parties for submission to the Council prior to their action and funding consideration.

Mr. Nielson informed the Council that the Annual Main Street Clean-up Day will be June 23, 1984.

4. The Council discussed with Mr. Sterling Davis, District Engineer, Utah State Department of Transportation, the necessity for curb and gutter maintenance in the U.S. Highway 191 right-of-way. Mr. Davis informed the Council that there is a budgetary possibility for funding improvements which could be made to a one block section prior to June 30, 1984 and several blocks may be improved after July 1, 1984.

The Council also discussed with Mr. Davis various matters relative to maintenance of U.S. Highway 191 through the City of Blanding.

5. Mr. Lyle Anderson, Monticello City Attorney, discussed with the Council matters relative to studying the location of a nuclear waste depository at the Gibson Dome area of San Juan County, the current political climate surrounding such proposal inclusive of the negative position of the chief executive officer of the State of Utah, the apparent desire of the U.S. Department of Energy to complete such study, the probable economic impact upon San Juan County and the possibility of certain legal action being instituted for the purpose of facilitating the implementation of the proposed study.

6. Mr. Brent Gardner, P.E. of Creamer and Noble Engineers, presented to the Council design drawings and specifications relative to the proposed Starvation Reservoir.

The Council agreed that the reservoir design included excessive and costly requirements, and that the same should be revised eliminating such excessive requirements and, following revision, the same should be presented at the next regular Council meeting.

7. The Administrator reported that auditors for the State of Utah, Community Development Division, audited the Community Development Block Grant Program of the City on June 12, 1984 and found the same to be in order.

8. Councilmember Johnson submitted the name of Maxine Nielson for the City Economic and Development Committee. The Council gave their advise and consent to such appointment.

Councilmember Johnson inquired as to the progress of the Blanding Recreation Complex. The Administrator informed the Council that fencing materials have been purchased and that construction of the dugouts is underway.

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9. Councilmember Osborn informed the Council that the Blanding Area Development Committee is working on a Master Street Plan.

10. The following memorandum was read in full to the Council:

TO: ICPA Representatives

ICPA Member Mayors

REA and Municipal Utility General Managers

FROM: Reed Searle, Manager of Government Affairs

DATE: June 4, 1984

SUBJECT: Federal Legislation to Promote Competition and Efficiency in the Transmission of Electric Energy

One of the most serious difficulties public power experiences today is its inability to obtain transmission services from Utah Power and Light. The investor-owned utility either refuses to wheel or engages in protracted negotiations and insists upon unreasonable terms and prices for transmission, thereby effectively refusing to wheel power and denying public power systems access to economically attractive power purchases for our retail customers.

On May 8, 1984, U.S. Representative Matsui from California introduced H.R. 5608 which would amend the Federal Power Act to promote competition and efficiency in the transmission of electric energy. The bill would accomplish that by authorizing FERC to order wheeling of electricity if (1) such wheeling would conserve energy, (2) such wheeling would promote the efficient use of facilities and resources, (3) such wheeling would increase the competition in the bulk-power market, and (4) such wheeling would otherwise be in the public interest.

The legislation would also authorize FERC to order any electric utility owning or operating any bulk-power transmission facility to increase the capacity of that facility if the above objectives are met and as long as just and reasonable rates are paid for such increase in capacity.

The bill maintains numerous provisions designed to protect investor-owned utilities from real or imagined damages by disallowing FERC from requiring (1) any enlargement of generation facilities, (2) any action which would place an undue burden on any utility or impair system reliability, or (3) require that transmission be provided to ultimate consumers.

Although the bill has been filed late in the Congressional year, it may be the subject of hearings before Congressman Richard Ottinger's subcommittee on energy conservation and power in late June. Prior to this hearing date, ICPA would like to have Congressman Nielsen, Hansen, or Marriott become co-sponsors to this bill. ICPA will attempt to arrange meetings with the Congressmen and several representatives of ICPA to discuss this legislation. Meanwhile, if you would send letters or make phone calls to the Congressmen urging their co-sponsorship it would be invaluable.

I have enclosed for your information, a copy of the legislation along with Representative Matsui's comments before the House of Representatives wherein he introduced the legislation.

RS/pa

Enclosures

Motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the Administrator should respond to the letter expressing the Council's support for the proposed legislation.

11. Copies of the following letter were distributed to the Council:

June 8, 1984

Mr. Jack Ockey
EDA Federal Building
125 South State
Salt Lake City, UT 84138

Dear Mr. Ockey:

This letter is in response to our phone conversation of June 6th wherein we discussed the print shop project in Blanding. Because I will be out most of next week, I thought I should give you what information I have for your consideration. Any need you may have for additional preliminary information can be phoned in to Les Prall of my staff. If you feel the project has merit we can process a full project outline or preapplication later.

The Blanding Development Board has recently worked with three businesses who expressed interest in locating in Blanding to take advantage of the abundant low cost labor and the readily available training facilities of the San Juan Center. These industries include a print shop which anticipates government contracts of as much as 15 million annually, a sewing factory making work gloves, and a special industry manufacturing space-age fiber impregnated matting which is expected to revolutionize the home heating industry.

A major obstacle to these plants going into the Blanding area is the inavailability of a developed industrial site. Blanding owns 35 acres adjacent to the Blanding Airport south of town. Sewer and water parallel one side of the property. The property itself, however, has no improvements. The site should be improved with water, sewer, streets, curbing, and industrial power.

The city is interested in pursuing an EDA grant and it is ready to provide the needed match. Of the three industries mentioned, the printing plant and the sewing plant show the greatest promise. Both operations would hire primarily Indian labor. The print shop anticipates employing up to 300 people. No labor estimates are available for the sewing plant. The city would be interested in developing at least 25 of the available 35 acres.

We will be looking forward to your initial response to this project proposal. We certainly appreciate your assistance.

Sincerely,

William D. Howell
Executive Director

WDH: db

cc: Cleal Bradford

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City pursue obtaining an Industrial Park Development Grant from the United States Economic Development Administration.

12. The following letter was read in full to the Council:

TO: Mayor Cleal Bradford and the Blanding City Council

Please remember that Harold Muhlestein will need to be appointed Justice of the Peace pro tempore in compliance with 78-5-36 UCA, for a period from June 23, 1984 to August 20, 1984.

I will pay the girl (Alexia Roberts) through June.

Thank you,

George M. Low, Justice of the Peace

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Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1984-8A

A RESOLUTION APPOINTING AN INTERIM
JUSTICE OF THE PEACE

BE IT RESOLVED by the City Council of the City of Blanding, Utah, that Mr. Harold G. Muhlestein be, and he is hereby, appointed Justice of the Peace Pro Tempore in and for the City of Blanding, Utah for the period June 23 - August 20, 1984.

PASSED, ADOPTED and APPROVED this 13th day of June, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

13. The Mayor distributed the monthly police report to the Council.

14. Mayor Bradford reported to the Council that the San Juan Navajo Off-Reservation, Inc. has joined with Grayson Development Corporation in a proposed commercial development within the City of Blanding, anticipating the utilization of Blanding Industrial Revenue Bonds under the authority of an Inducement Resolution previously adopted by the City. The time limits imposed for utilization of the authority granted in such resolution will expire in August, 1984 and the San Juan Navajo Off-Reservation, Inc. and Grayson Development Corporation desire a time extension in the matter.

The Council agreed that the City Attorney shall consider the time extension request and determine the procedure necessary for effecting the same.

15. The City Engineer informed and discussed with the Council the following items:

A. The Forest Service will furnish fencing materials for repair of the fence at Camp Jackson if the City will provide the labor.

The Council agreed that, subject to the availability of training or other job service funded personnel, the City should proceed with such project.

B. The State Engineers Office requires that rip-rap be placed on the beaches of the City Reservoirs. The City has received a proposal from Jerry Holiday Construction for furnishing the rip-rap material at a cost of \$4.50 per cubic yard.

The Council agreed that other sources of supply should be considered prior to purchasing the rip-rap material.

C. E.A. Black Plumbing and Heating completed Water Improvements Project, Phase I, Schedule VI on May 29, 1984.

The Council advised that following receipt of the final billing on this project, they will deal with the matter of liquidated damages which may be due resultant from contractor's time limit overrun.

16. The Council conducted a public hearing relative to the proposed City operating budgets for the fiscal year ending June 30, 1985. No public comments were received.

Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1984-9

A RESOLUTION PROVIDING FOR THE APPROPRIATION
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING
DURING THE FISCAL YEAR ENDING JUNE 30, 1985.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding for the Fiscal Year ending June 30, 1985, the amounts from the respective funds and for the purposes as follows:

<u>FUND</u>	<u>AMOUNT</u>
General Fund	\$ 1,514,951.50
Debt Service Fund	88,137.50
Electric, Water and Sewer Operating Fund	1,446,500.00
Capital Projects Fund	1,661,750.00

BE IT FURTHER RESOLVED that copies of the foregoing budget details be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 13th day of June, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 11:35 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JUNE 27, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Also present were: Craig C. Halls, City Attorney; Kay Shumway; Tom Austin, Jr.; Brent Gardner, Bryan B. Bremner, Creamer and Noble Engineers, Inc.

1. Prayer was offered by Councilmember Pincock.
2. Minutes of City Council meeting held June 13, 1984 were approved.
3. Mr. Craig C. Halls, City Attorney, discussed with the Council matters relative to the Industrial Revenue Bond Inducement Resolution adopted in favor of Grayson Development Corporation and the termination of the same to be effective in August of the current year. Mr. Halls advised that the time limit on such resolution may possibly be extended by resolution without public hearing. Prior to the time of the scheduled Industrial Bond Inducement Resolution, Mr. Halls will research the matter further and determine what options for action by the Council are available.
4. Mr. Kay Shumway presented to the Council the architectural plans for the San Juan Center Science Building. Mr. Shumway asked the Council to consider the following three requests:
 1. Appoint someone from the executive or legislative branch of the City to act as superintendent of the science building project.
 2. Appoint Mr. Scott O'Neal supervisor of construction at the site.
 3. Pay Mr. Scott O'Neal \$5,000.00 for services to date and subsequent construction supervision.

Following discussion of the above requests, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried the the City of Blanding accept responsibility for the construction of the San Juan Center Science Building subject only to the availability and receipt of funds from other participating agencies and that Mayor Bradford be appointed superintendent of such project.

5. Mayor Bradford reported that Mr. Keith Stepan, A.I.A., has reviewed plans and specifications for the San Juan Center Science Building as prepared by Mr. Scott O'Neal and advised that they are adequate from which to commence construction; that they will be further reviewed by his staff and any required changes noted thereon.

6. Motion was made by Councilmember Pincock, seconded by Councilmember Lyman and unanimously carried that the City of Blanding make a contribution from its Electric, Water and Sewer Fund to a General Capital Improvements Fund as a contribution to the San Juan Center Science Building Project and that Mr. Scott O'Neal be paid from said fund the amount of \$2,000.00 for architectural design work completed in connection with such project.

7. Mr. Brent Gardner, P.E. of Creamer and Noble Engineers, presented to the Council the cost estimate for construction of the proposed water transmission line from Johnson Creek on the Abajo Mountain to the City Water Treatment Plant, inclusive of a new pipeline to connect from the proposed Starvation Reservoir to the City water transmission system.

Mr. Gardner discussed with the Council possible dates for receiving proposals for the construction of the Starvation Reservoir and the Johnson Creek water transmission line. The Council agreed that advertisements for bids on the

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Starvation Reservoir Project shall be received until 8:00 P.M. on July 25, 1984; that information necessary to the advertisement for bids on the Johnson Creek water transmission line should be available for publication in the San Juan Record on July 18, 1984.

8. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-10

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN ENGINEERING AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding, Utah and Creamer and Noble Engineers relative to the preparation of designs and specifications for the proposed construction of a water transmission line from Johnson Creek on the Abajo Mountains to the Blanding City Water Treatment Plant.

PASSED, ADOPTED and APPROVED this 27th day of June, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

9. The Administrator informed the Council that Mr. Preston Nielson is interested in buying water from the City's Reservoir #2.

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that Mr. Preston Nielson be allowed to purchase water from the City Reservoir #2 at the rate of \$10.00 per acre foot.

10. Upon request of the San Juan County Water Conservancy District, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the City will provide garbage collection service to the recreation area to be developed in connection with the Recapture Dam, for the period of time that the San Juan County Water Conservancy District is the controlling entity.

11. Mayor Bradford appointed the following individuals to the Blanding City Zoning Board of Adjustment for the respective period shown:

George Jones	-	May 31, 1988
Larry Richmond	-	May 31, 1987

12. The Administrator reported that Utah State Department of Health representatives Nancy Hess and Ron Roberts performed an audit and inspection in connection with the Blanding City Wastewater Treatment Facilities Project and found things to be in order generally; that subject to a punch list of minor items to be completed by the contractor the project is accepted as complete.

13. Councilmember Lyman inquired as to the possibility of the City installing a street light at the Utah Navajo Industries' Metra printing shop. The administrator explained that the shop is outside City limits and that it would be Utah Navajo Industries' responsibility to have a light installed.

14. Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City purchase a membership in the Grand Circle Association at a cost of \$250.00.

15. Councilmember Smith reported that water system maintenance excavation on Center Street in front of the Husky Service Station has created a hazzardous road condition which needs attention.

16. Councilmember Pincock discussed the following items with the Council:

A. Limited response from citizens relative to the sidewalk program letters mailed.

B. Delay of construction of the road on 800 North Street easterly from the Blanding Stake Center.

The Engineer advised that the County wished to have the road compacted by traffic for a short period of time and then construction would resume.

17. Following discussion relative to drainage problems on personal property, motion was made by Councilmember Lyman, seconded by Councilmember Pincock and unanimously carried that as a matter of policy the City will fund one-half the cost of drainage pipe utilized in drainage control on private property, subject to the availability of funds and with each project to be evaluated by the Council.

18. The Mayor discussed the following items with the Council:

A. The U.S. Forest Service has indicated a desire to have only one permittee on facilities located on the U.S. Forest currently operated under joint management by the City of Blanding and the Blanding Irrigation Company. The Council indicated a reluctance to accept sole responsibility for such jointly operated facilities.

B. Six copies of "A Study to Determine the Feasibility of Developing a Recreational and Agricultural Community Adjacent to Hall's Crossing Within San Juan County, Utah" have been received from the Utah State University Foundation and distributed in the following manner:

City of Blanding	-	two copies
San Juan County Library	-	one copy
U.S. Park Service	-	one copy
San Juan County	-	two copies

19. The following letter was read in full to the Council:

June 26, 1984

Cleal Bradford, Mayor
Blanding City
Blanding, UT 84511

Dear Mayor Bradford,

I am writing in regards to our discussions concerning Blanding City replacing deteriorated curb and gutter along US-191 within the City Limits. As we agreed, it would normally be the responsibility of the UDOT to maintain the curb and gutter along US-191. As I explained during the City Council meeting on June 13, 1984, our District does not have the forms and equipment to replace/repair curb and gutter.

Attached herewith are copies of agreements which stipulate that Blanding City will remove the old curb and gutter and install the new curb and gutter along US-191 in Blanding. We have enough money in our upcoming Fiscal Year Maintenance Budget to fund the concrete for each of the three blocks requested by the City. We would want all of the money expended between July 1, 1984 and June 30, 1985.

Please have the attached agreements signed by the appropriate City Officials, then retain one copy for your files and return the other signed copies to this office.

Let us know if you need us to have surveyors give you the proper line and grade for the curb and gutter.

Should you have any questions, please let me know. We appreciate the City working with us in this combined effort.

Sincerely,

UTAH DEPARTMENT OF TRANSPORTATION

Sterling C. Davis, P.E.
District Four Director

SCD/pwd

cc: Henry Skrinier
Ferris J. Hunt

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Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-11

A RESOLUTION AUTHORIZING THE EXECUTION
OF A COOPERATIVE AGREEMENT FOR
CURB AND GUTTER INSTALLATION

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the Utah Department of Transportation setting forth the terms and conditions under which approximately three blocks of curb and gutter will be installed on U.S. Highway 191 within the City of Blanding; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 27th day of June, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

20. Mayor Bradford advised of the concern of other agencies relative to the use of psychotoxic intoxicants by the area Indian people. The Council agreed to discuss the matter further at a later meeting.

21. Following discussion of the possibility of a Belgium film making crew making a promotional film of the area, the Council declined to participate financially in such venture.

22. Mayor Bradford discussed with the Council a land exchange at the West end of 500 South Street which would provide access to the proposed area Cultural Center.

Motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the City effect an exchange of a 34' X 420" tract of land on the south side of 500 South Street running westerly from the west edge of 300 West Street to the West Blanding City limits, for a 12' X 1306' tract of land running westerly from the southwest corner of the remaining 500 South Street.

23. Following review of the current salary schedule, motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that all full-time City employees be granted a salary increase of \$50.00 per month plus 2% of their current salary; that the Justice of the Peace be given an increase of \$20.00 per month; that the salary of Mr. Nyle Bennett be set at \$1,529.00 effective July 1, 1984.

24. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-12

A RESOLUTION ADJUSTING THE FISCAL
YEAR 1984 CITY OPERATING BUDGETS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Fiscal Year 1984 Operating Budget of the City of Blanding be adjusted as follows:

General Fund Expenditures:

	<u>Increase</u>	<u>Decrease</u>
City Council	39,947.73	
City Court	76.92	
Recorder	980.50	
Attorney		5,711.18
Audits		420.00
Elections	11.37	
Planning and Zoning		1,000.00
Advertising and Promotion	100.82	
Police Department		1,373.73
Fire Department	52,774.93	
Protective Inspection	60.00	
Highways and Streets		11,690.64
Waste Collection	1,054.46	
Engineering	633.63	
Parks and Recreation	9,302.35	
Airport	6,627.29	
Equity Transfers (Const. Funds)		91,374.45
	<u>111,570.00</u>	<u>111,570.00</u>

PASSED, ADOPTED and APPROVED this 27th day of June, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 11:04 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JULY 25, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Councilmember absent: J. Carl Osborn

Also present were: Gerald M. Black; Stanley Martineau; Jeff Black; Lyman Redd; Marsha Keele.

1. Prayer was offered by Councilmember Johnson.
2. Minutes of City Council meeting held June 27, 1984 were approved.
3. The Administrator informed the Council of a letter received from Governor Matheson relative to the "Share and Reach" program for the poor. The Council deferred discussion to the next regularly scheduled Council meeting.
4. The Engineer informed the Council of the following items:
 - A. City crews have been concentrating their efforts on the ballfields at the Blanding Recreation Complex and the ballfield lights will be focused under the direction of Art Jameson, factory representative for North Star Lighting Manufacturing.
 - B. Bid opening for the Starvation Reservoir will be delayed until August 2, 1984.
 - C. Bid opening for furnishing the 12" pipe for the Johnson Creek to Blanding pipeline will be held August 22, 1984.
5. The Administrator reported meeting with Mr. Jack Ockey, State representative for the U. S. Economic Development Administration, relative to the possible development of a City Industrial Park. Mr. Ockey advised that a minimum of 50 acres is required for Industrial Park development under EDA regulations and that 60-40 per cent is the administrations matching funds formula. The Blanding development would cost a minimum of \$500,000, the City portion would be \$200,000, which cost appears to be prohibitive for the City. Therefore, it was concluded that discussions on the matter will be discontinued for the present time.
6. Following discussion of the dog situation, motion was made by Councilmember Pincock, seconded by Councilmember Johnson and unanimously carried that effective August 1, 1984, Sgt. Tom Austin of the Police Department, shall be responsible for the enforcement of the dog control ordinance, inclusive of issuance of citations to owners of animals in violation of such ordinance.
7. Representing the City Economic Development Council, Councilmember Johnson presented the following names to the Council relative to the naming of the No. 2 ballfield at the Blanding Recreation Complex:
 1. Dee Hancock
 2. Dwight Laws
 3. Kirk Nielson
 Motion was made by Councilmember Pincock, seconded by Councilmember Lyman and unanimously carried that Ballfield No. 2 at the Blanding Recreation Complex be named the Dee C. Hancock Field.
8. Councilmember Pincock discussed with the Council the apparent apathy of property owners in the sidewalk construction priority areas. He also advised the Council that Mr. Jeffrey Black desires to participate in the cooperative sidewalk construction program in the area between 500 and 600 North Streets. The Council advised that not less than one complete block of sidewalk construction will be participated in by the City. Mr. Black will advise the Council by not later than the next regularly scheduled Council meeting as to whether or not he desires to participate in such sidewalk construction program.

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9. Following interviews and discussion of the qualifications of applicants relative to the position of Science Building Construction Supervisor, a system of evaluation of the applicants awarded points as follows:

Gerald M. Black	35
Jeffrey Black	44
Stanley Martineau	28
Lyman Redd	32
Alvin Kaer	24
Harvey Yazzie	26

Motion was made by Councilmember Pincock, seconded by Councilmember Lyman and unanimously carried that Mr. Jeffrey Black be appointed to the position of Science Building Construction Supervisor subject to salary consideration approval at a later date.

10. The Mayor advised the Council that the Utah Department of Indian Affairs has allocated \$62,500 to the College of Eastern Utah-San Juan Center Science Building project.

11. The Council again discussed whether or not to accept the parcel of land north of the Church of Jesus Christ of Latter Day Saints North Chapel which the church desires to dispose of; following which motion was made by Councilmember Lyman and seconded by Councilmember Pincock that the City decline to accept such parcel of land.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Lyman Councilmember Pincock Councilmember Johnson
Those voting "Nay":	None
Those abstaining:	Councilmember Smith
Those absent:	Councilmember Osborn

constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried.

12. Following discussion by the Council relative to compensating Mr. Scott O'Neal for technical services rendered in connection with the College of Eastern Utah-San Juan Center Science Building project, motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that Mr. O'Neal be allowed \$10.00 per hour for such services.

13. Mayor Bradford informed the Council of the following items:

A. White Mesa Ute Council has contributed \$12,500 and the Nations of the Four Corners Board has contributed \$4,500 for the development of the proposed Cultural Center.

B. Job Training Partnership Act funds in the amount of \$19,500 are available for salary payments to trainees who will be working on the College of Eastern Utah-San Juan Center Science Building project.

C. Ground breaking ceremonies relative to the College of Eastern Utah-San Juan Center Building project will be held August 17, 1984.

D. Distributed the monthly police report.

E. The 77th Annual Conference of the Utah League of Cities and Towns will be held September 19, 20, 21, and 22, 1984 in Salt Lake City, Utah.

14. Marsha Keele extended an invitation to the Council and their spouses to attend the ground breaking ceremony and luncheon for the Monticello Reservoir Project on August 2, 1984 at 12:00 p.m..

Meeting adjourned at 10:45 P.M.

Deputy Recorder
Karalee Austin

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD AUGUST 8, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Richard D. Pincock Don E. Smith
Recorder:	Francis D. Nielson
Engineer:	Philip L. Palmer

Also present were: Mr. Brent Gardner, P.E., Creamer and Noble, Inc.; Mr. Eugene Shumway; Mr. Jeffrey Black.

1. Minutes of City Council meeting held July 25, 1984 were approved.
2. The Council reviewed the bid proposals for construction of the proposed Starvation Reservoir, following which motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1984-13

A RESOLUTION ACCEPTING THE BID
PROPOSAL OF STRATTON BROTHERS
CONSTRUCTION COMPANY, INC. FOR
CONSTRUCTION OF THE STARVATION
RESERVOIR

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the proposal of Stratton Brothers Construction Company, Inc. for construction of the Starvation Reservoir in the amount of \$674,750.00 be, and the same is hereby accepted; that a contract be awarded to said Company, the required construction conference be scheduled and Notice to Proceed be issued by the project engineers, Creamer and Noble, Inc. at the earliest possible date; that a copy of the Transcript of Bids be attached hereto and made a part hereof by reference; and that the Mayor be authorized to execute the relative contract documents.

PASSED, ADOPTED and APPROVED this 8th day of August, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

3. The Council discussed with Mr. Eugene Shumway, the "borrow" material necessary for construction of the Starvation Reservoir. Mr. Shumway indicated agreement with the general proposal for obtaining both the pervious and impervious material from the designated areas, as well as the sale of additional acreage required for the Southwest abutment of the Reservoir Dam. He requested that the least amount of land possible be excavated and agreed to an exchange of pervious material from an area owned by the City.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the Administrator and Engineer be authorized to effect an agreement with Eugene and Kenneth Shumway for purchase of additional required land and the "borrow" materials necessary to the construction of the Starvation Reservoir.

4. The Council approved the hiring of Mr. Jeffrey Black as Construction Supervisor for the San Juan Center-College of Eastern Utah Science Building at a salary of \$10.00 per hour and including all employee benefits currently allowed regular City employees.

The Council agreed that Mr. Black may purchase the necessary hand tools for

use by other project personnel, that the equipment owned by Mr. Black and used as required in the construction process shall be rented at the regular established rental fee for such equipment.

5. Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City purchase a 1967 C-20 Chevrolet pickup truck from Mr. George Petty for a price not to exceed \$1,600.00; that such truck be currently assigned to the San Juan Center-College of Eastern Utah Science Building project.

6. Mr. Jeffrey Black advised the Council that all owners of property adjacent to the West side of 1st West Street between 500 and 600 North Streets have agreed to participate in a sidewalk construction project for such area, under the current City cooperative construction program. The Council authorized proceeding with such sidewalk project.

7. Following consideration of a proposal by Dennis and Lurlene Gutke for annexation of their residential property lying west of and contiguous to the current City limits between 100 and 200 North Street, the Council directed that the matter be referred to the Planning Commission for their consideration and recommendation.

8. The Engineer presented the final construction cost figures on the Water Improvements, Phase I, Schedule VI project in behalf of the Contractor E.A. Black Plumbing and Heating, in the amount of \$29,721.71, and recommended approval of the same for payment.

Following discussion of the matter, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that E.A. Black Plumbing and Heating be allowed a total project cost of \$29,721.71 on the Blanding City Water Improvements, Phase I, Schedule VI project and the balance due on the same be paid on such basis as a final payment.

9. The Engineer reported the following to the Council:

A. Mr. George Jones declined to accept reappointment to the Zoning Board of Adjustment.

B. Mr. Tony Dayish is being considered for appointment to the Zoning Board of Adjustment.

C. Mr. Lynn Patterson has reported he will be grazing livestock in the area adjacent to the Blanding Watershed.

10. Councilmember Osborn advised the Council that the Zoning Board of Adjustment has granted a variance to Orr's Auto Body and Glass Shop relative to side-yard setback, to permit additional desired construction.

11. Councilmember Smith reported that San Juan County will effect the bituminous surfacing of the area around the Blanding Airport Administration building, with the State of Utah, Division of Aeronautics participating on an equal cost-sharing basis on the area designated for aircraft use as well as the proposed fencing of such aircraft area.

12. Councilmember Smith discussed with the Council the water drainage problems at the Church of Jesus Christ of Latter Day Saints Stake Center located Northeast of the Intersection of 100 West and 800 North Streets.

Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the Church of Jesus Christ of Latter Day Saints be allowed to effect a drainage system at the Blanding Utah Stake Center building which will flow into a City Street.

13. Mayor Bradford reported to and/or discussed with the Council the following items:

A. Senator Orrin C. Hatch has requested by letter, a photograph of the Mayor and Council for use in preparation of an album of Utah governing officials.

B. Councilmembers and partners are invited to the ground-breaking ceremonies for the San Juan Center-College of Eastern Utah Science Building scheduled August 17, 1984 at 6:00 o'clock P.M. as well as the Trail-of-the-Ancients Parkway proposal discussion to be held at the San Juan County Library on the same day at 1:00 o'clock P.M. The Council agreed that the City should sponsor the Trail-of-the-Ancients Parkway discussion and fund costs.

C. The U.S. Economic Development Administration will accept an application for funding assistance in the proposed development of the Nations of the Four Corners Cultural Center.

Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the City, with the cooperation of Southeastern Utah Association of Local Governments personnel, submit an application to the U.S. Economic Development Administration for funding assistance in the

development of the proposed Nations of the Four Corners Cultural Center.

14. Following review of a proposed airport operating agreement by and between Blanding City and San Juan County, motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-14.

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN AIRPORT OPERATING AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and San Juan County relative to City operation of the Blanding Municipal Airport; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 8th day of August, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 10:35 P.M.

Francis D. Nielson
Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD AUGUST 22, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin

Absent was Councilmember: Francis M. Lyman

Also present were: Danny Fleming; Bradley Shumway; Craig Black; Marsha Keele.

1. Prayer was offered by Councilmember Smith.
2. Minutes of City Council meeting held August 8, 1984 were approved.
3. The following letter was presented to the Council:

August 15, 1984

Gayle Smith
Bureau of Public Water Supplies
Division of Environmental Health
150 West North Temple
Salt Lake City, Utah 84110

Mr. Smith:

On August 7, 1984, I visited the drinking water facilities of Blanding, Utah. I found Mr. Danny Fleming very proficient in the use of his HACH 2100A turbidimeter.

I recommend Mr. Fleming for certification of turbidity measurement in drinking water.

Respectfully,

Ralph A. Helfer, Chemist
Quality Assurance Section
Bureau of Laboratory Improvement

cc: Danny Fleming

Mayor Bradford expressed to the Council a commendation to Mr. Fleming for efficient service to the City as Water and Sewer Systems Superintendent.

4. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1984-16

A RESOLUTION AUTHORIZING EXECUTION OF
A CONTRACT AGREEMENT WITH THE STATE
OF UTAH, DEPARTMENT OF COMMUNITY AND
ECONOMIC DEVELOPMENT

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BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the State of Utah, Department of Community and Economic Development, known as Contract No. 0800; that a copy of such contract be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 22nd day of August, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. The Administrator read the following bids to the Council:

<u>Name Of Bidder</u>	<u>Unit Price</u>	<u>Total Bid</u>
Plumbers Supply Co.	5.19	\$ 322,558.50
J & J Mill and Lumber	5.26	326,909.00
Shulsen Products	5.33	331,259.50
Waterworks Equipment Co.	5.38	334,367.00
Snyder Distributing Co.	5.44	338,096.00
W.R. White Co.	5.52	343,668.00

Following review of the bid proposals, motion for the adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-15

A RESOLUTION AUTHORIZING THE
EXECUTION OF CONTRACT
DOCUMENTS RELATIVE TO
PURCHASE OF PIPE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City accept the proposal of Plumbers Supply Company for furnishing to the City 62,150 feet of 12" PVC pipe at a cost of \$5.19 per linear foot; that the Mayor be, and he is hereby, authorized to execute the contract documents in connection with acceptance of the foregoing proposal and that a copy of such contract documents be attached hereto, and made a part hereof, by reference.

PASSED, ADOPTED and APPROVED this 22nd day of August, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

6. The Administrator advised the Council that Mr. Eugene Shumway has indicated that the terms for obtaining the "borrow" material necessary for construction of the Starvation Reservoir need not be in formal agreement form and may be put in letter form for his signature.

7. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-17

A RESOLUTION EXTENDING THE
TIME LIMITS OF AN INDUCEMENT
RESOLUTION AND RELATIVE
AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the terms and conditions of Resolution 1981-10 and accompanying Memorandum of Agreement with Steven L. Bronson and Stanley W. Bronson, D/B/A Grayson Development regarding the issuance of Industrial Development Revenue Bonds for a commercial and industrial project, be, and they are hereby, extended to August 12, 1987.

PASSED, ADOPTED and APPROVED this 22nd day of August, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

8. The Administrator advised the Council that the Federal Aviation Administration has served notice on the City that the land acquisition under Blanding Municipal Airport ADAP Project No. 5-49-0002-02 must be completed by September 30, 1984 or said administration will initiate action to declare the grant relative to such project null and void.

Following discussion of the matter in which Mayor Bradford indicated the Ute Mountain Ute Tribe is now favorable to a land exchange necessary to the above stated ADAP Project, the Council advised the Administrator to write the Federal Aviation Administration requesting an extension of time to December 31, 1984 for completing the land acquisition under such project.

9. The Administrator advised the Council that the Annual Convention of the Utah League of Cities and Towns will be held September 19-22, 1984.

The Mayor advised that he will attend such convention.

Motion was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried that membership fees be paid to the Utah League of Cities and Towns for the current period.

10. Councilmember Osborn inquired in behalf of the San Juan School District as to whether or not the drainage in the area of the San Juan High Football Field has been improved to prohibit drainage onto the area of the track and field facilities where such District is proposing to develop an all-weather running track. Mr. Osborn was advised that no significant drainage work has been completed in the area.

11. Following discussion of the Plans and Specifications for installation of the Johnson Creek pipeline, the Council decided that there should be 120 working days instead of calendar days and that Sundays and legal holidays will be considered to be the only non-working days.

12. Mayor Bradford advised the Council that an open forum of concerned parties representative of Federal, State, County and City officials indicated a favorable reaction to the establishment of a Trail of the Ancients designation for the area parks, monuments and scenic attractions, the only controversy relative to the proposal involved the Bureau of Land Management concerns that the designation may be a Parkway connoting expansion of National Park interests in areas on either side of the highways under consideration. Parkway designation was dropped from the naming process and the proposal was therefore accepted.

13. Mayor Bradford expressed his appreciation to the Administrator for preparation made in behalf of the Science Building Ground Breaking Ceremony and his participation in getting the project started.

Meeting adjourned at 9:26 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD SEPTEMBER 12, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer

Absent was Councilmember: Francis M. Lyman

Also present were: Marsha Keele; Bruce Johnson; E.A. Black; Lewis Black; Jeffrey Black; Donald Bayles; Ned Billsie; Scott O'Neal.

1. Prayer was offered by Mayor Bradford.
2. Minutes of City Council meeting held August 22, 1984 were approved.
3. Mayor Bradford read the following letter to the Council:

Blanding City Council
Blanding, Utah 84511

14 Aug. 1984

RE: Criminal Trespass

Dear Council Members:

Members, maintenance staff and Bishops Council responsible for the maintenance and upkeep of the South Chapel have become increasingly concerned with the littering of the South Chapel Cultural Hall parking lot. Signs and garbage cans have been placed and encouragement has been given but it appears that more lenient methods of dealing with the problem will have no effect.

As the Bishops Council, we feel that more stringent methods are required in order to handle this problem and thus are authorizing the city, through their police department, to take whatever action necessary to restrict the parking on these parking lots except where being used by individuals participating in church activities. We understand that the criminal trespass statute provides that the City, under authority of the Church, may take whatever action is necessary.

The Church will take responsibility for placing restricted parking area and no trespassing signs with the intention of notifying those persons parking on this lot that their actions are in violation of City Code. We request that the City with such notice arrest and prosecute violators in accordance with City Ordinances and we pledge our support should it become necessary for representatives of the Church to take affirmative action to eliminate this problem.

We respectfully request your help in this important matter.

Sincerely,

DAN WHEELER
Agent Bishop

cc: Bishop Pete Black
Bishop Arvid Black

The Council agreed that the foregoing matter would be handled consistent with the Counsel of the City Attorney.

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4. The Administrator read the following letter to the Council:

Federal Aviation Administration

September 6, 1984

Mr. Francis D. Nielson
City Administrator
P.O. Box 68
Blanding, Utah 84511

Dear Mr. Nielson:

Blanding Municipal Airport
ADAP Project No. 5-49-0002-02

In view of the recent developments, we will approve an extension to December 31, 1984, for the land acquisition required under the subject grant agreement.

However, we must insist on a monthly status report so that we are knowledgeable of the progress being made.

Sincerely,

Shirley Galloway
Airports Program Officer

cc:

Mayor of Blanding

The Council was informed that word has been received that the Ute Mountain Ute Tribe will act on the land exchange necessary for the Blanding Airport runway extension at their 9/20/84 meeting.

5. The Council discussed with local plumbing and electrical contractors the mechanical and electrical requirements for the San Juan Center Science Building and requested that such contractors and the Science Building Construction Superintendent determine the meaning of terms of the building plans and specifications, following which bids for the electrical and mechanical work will be received.

The Council agreed that the City of Blanding will effect the water and sewer connections to the building and that the water connection shall be limited to one inch.

6. Mr. Ned Billsie discussed with the Council the problem of local Indian people drinking and otherwise ingesting a variety of intoxicants obtained in the local stores including hair spray, mouthwash liquids, shoe polish and some detergents. The Council agreed to study the matter relative to the possibility of adopting an ordinance which may help to control the matter.

7. Motion for adoption of the following resolution was made by Councilmember Johnson, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-18

A RESOLUTION AUTHORIZING THE EXECUTION
OF A LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the State of Utah acting by and through the Utah State Department of Social Services, known as Agreement Utah State Department of Social Services Low Income Home Energy Assistance Program, wherein the City as "Supplier" will furnish electric energy to "eligible households" and the State of Utah will effect payment for such energy; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of September, 1984.

Cleal Z. Bradford
Mayor

Attest:
Francis D. Nielson
Recorder

8. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-19

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN AGREEMENT FOR FURNISHING
ENGINEERING INSPECTION ON THE
STARVATION RESERVOIR PROJECT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and Rollins, Brown and Gunnell, Inc. of Provo, Utah, relative to the furnishing of engineering and inspection services on the Starvation Reservoir project; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of September, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

9. The Engineer informed the Council that the Planning Commission has reviewed the Dennis and Lurlene Gutke request for annexation of their residential property to the City and recommended affirmative action on the matter.

Motion was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried that the Council indicate to Dennis and Lurlene Gutke that they will act favorably upon a formal petition for annexation of their residential property.

10. Following discussion of the construction inspection requirements for the Johnson Creek Pipeline Project, motion was made by Councilmember Pincock, seconded by Councilmember Johnson and unanimously carried that the City Engineer supervise City personnel in such inspection process.

11. The Engineer advised the Council that the County has indicated they will be starting street construction in the City in the near future.

12. Following discussion of the status of the service building at the Blanding Recreation Complex, motion was made by Councilmember Johnson, seconded by Councilmember Pincock and unanimously carried that the City Administrator be authorized to proceed with the construction of such building.

13. Councilmember Osborn advised the Council that the area business owners and the Planning Commission are continuing discussions relative to Main Street Beautification. Motion was made by Councilmember Osborn, seconded by Councilmember Pincock and unanimously carried that the City offer to pay travel and per diem expenses for Mr. Dana Nielson to attend the Main Street Beautification seminar in connection with the Utah League of Cities and Towns Convention.

14. Councilmember Osborn discussed the following items with the Council:

A. The possibilities of hiring someone to fill the position of Director of Public Works. The Council took no action.

B. A copy of an article relative to the advantages of rural Utah Industrial Sites.

15. Councilmember Pincock discussed with the Council the possibilities of having old cars and debris removed from City and privately owned property.

The Council agreed that a letter should be written and mailed to citizens relative to necessity of removing old vehicles, equipment and deleterious material from the streets.

16. Mayor Bradford discussed with the Council the necessity for emphasis on development of an Industrial Park. Motion was made by Councilmember Johnson,

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seconded by Councilmember Osborn and unanimously carried that as a priority of effort, the City emphasize the development of an Industrial Park.

17. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried:

RESOLUTION NO. 1984-20

A RESOLUTION RELATIVE TO RESCINDING
GROUND WATER LIMITATION IN
SAN JUAN COUNTY

WHEREAS, the State of Utah, acting by and through the State Engineers Office, has had in effect a moratorium on the use of ground water within San Juan County resulting in ground water use being limited to approximately six gallons per minute for domestic purposes; and

WHEREAS, such moratorium has had a negative effect upon the local agricultural pursuits; and

WHEREAS, the economy of San Juan County and particularly the Blanding area may be enhanced by the rescinding of such moratorium;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blanding, Utah that the State of Utah be advised that in the opinion of the Blanding City Council, the moratorium limiting use of ground water in San Juan County is detrimental to the economy of the area and should be rescinded at the earliest possible date.

PASSED, ADOPTED and APPROVED this 12th day of September, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

18. Following discussion of the possible benefits of membership in the Grand Circle Association, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City obtain an active membership at a cost of \$1,000 per year for the first year only rather than an associate membership at a cost of \$250 per year, in such Grand Circle Association, with the understanding that such active membership may be maintained by payment of \$250 annually.

19. Mayor Bradford reported and/or discussed the following items with the Council:

A. Distributed the monthly police report.

B. Items 1 & 9 of the Blanding Airport Operating Agreement between the City of Blanding and San Juan County will be revised prior to resubmission to the City Council for authorizing its execution.

20. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1984-21

A RESOLUTION AUTHORIZING THE EXECUTION
OF A WARRANTY DEED

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain warranty deed wherein the City of Blanding warrants and conveys to Truman K. and Ada R. Rigby the following described tract of land situated in San Juan County, State of Utah, to-wit:

Beginning at the Northwest Corner of Lot 2, BLANDING
TOWNSITE SURVEY, thence north 34 feet, thence N 89°32'
E 420 feet, thence South 34 feet, thence S 89°32' W
420 feet to the point of beginning.

PASSED, ADOPTED and APPROVED this 12th day of September, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 10:10 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD SEPTEMBER 26, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson J. Carl Osborn Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer

Absent was Councilmember: Francis M. Lyman

Also present was Marsha Keele.

1. Prayer was offered by Philip Palmer.
2. Minutes of City Council meeting held September 12, 1984 were approved.
3. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried:

RESOLUTION NO. 1984-22

A RESOLUTION AUTHORIZING THE TRANSFER
OF FUNDS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the amount of \$88,600.00 be transferred from the City of Blanding, Utah Electric, Water and Sewer Investment Fund, known as Account No. 0994653 at Zions First National Bank, to the City of Blanding Water Improvements Phase II Construction Fund at First Security Bank of Utah, Blanding Branch, 55 South Main Street, Blanding, Utah.

PASSED, ADOPTED and APPROVED this 26th day of September, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

4. The Engineer reported and/or discussed the following items with the Council:

A. The County has completed surfacing of City streets for this year. They will continue with street excavating where new curb and gutter has been installed.

B. The contractors for the Johnson Creek Pipeline Project will commence installation on October 1, 1984.

C. Construction is proceeding in accordance with the plans and specifications on the Starvation Reservoir. The Contractor is having to look for a new source for obtaining filter sand as the adjacent gravel pit material contains too much clay.

5. The Administrator presented the following invoices for review by the Council:

<u>Project</u>	<u>Supplier</u>	<u>Amount</u>
Cultural Center	Sanford Landscaping	144.52
Science Building	Cobitco, Inc.	423.36
Science Building	Cobitco, Inc.	370.44
Science Building	Hurst Construction	543.40
Science Building	Lyman Truck Line	34.35
Science Building	Parley Redd Merc.	1,678.04

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Following review and discussion of the above matter, motion was made by Councilmember Pincock, seconded by Councilmember Osborn and unanimously carried that the above accounts be approved for payment.

6. Councilmember Johnson reported and or discussed with the Council the following items:

- A. A list of unpaid business licenses.
- B. Concern for prairie dog damage at Blanding Municipal Airport.
- C. Advised that San Juan County Commissioner Calfin F. Black expressed concern that the City did not advertise for bids on the San Juan Center Science Building Project and also, that the City is providing at tax payer expense, utility services to the San Juan Center-College of Eastern Utah.

7. The Engineer presented to the Council a list of completed projects relative to the 1984 Street Improvement Program.

8. The Mayor reported and/or discussed with the Council the following items:

- A. The progress of the Main Street Beautification project. Council was informed the committee on this matter will be meeting during the ensuing week.
- B. Suggested that for the purposes of controlling a blighted area, the City should endeavor to annex the property on which the old Frontier Theatre Building debris now exist.
- C. Mr. Buzz Hunt, executive director of the Utah Department of Community and Economic Development, suggested that the City should initiate action relative to possibly obtaining from the Utah Permanent Community Impact Board, an additional \$50,000 for development of the Nations of the Four Corners Cultural Center; that the matter may be handled either during the Impact Board's meeting in October or November.

9. The Administrator reported delivering the contract document and required supporting information to the Utah Department of Community and Economic Development relative to the procurement of the allocated \$400,000 grant and \$500,000-4½% interest loan from the Utah Permanent Community Impact Board; that the Impact Board staff advised that the funds will be forthcoming following review and approval of the contract by the Utah Attorney General's office.

Meeting adjourned at 9:10 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD OCTOBER 10, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Francis M. Lyman Richard D. Pincock Don E. Smith
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer

Absent were Councilmembers: Clea S. Johnson
J. Carl Osborn

Also present was Marsha Keele.

1. Prayer was offered by Francis M. Lyman.
2. Minutes of City Council meeting held September 26, 1984 were approved.
3. The Engineer reported and/or discussed with the Council the following items:
 - A. The Johnson Creek Pipeline contractor has started installing pipe on the west side of the 3rd Reservoir and is proceeding northerly.
 - B. Construction on Starvation Reservoir is proceeding. The contractor is hauling sand from Bluff for the required filter.
 - C. Met with members of the San Juan County Water Conservancy District Board relative to the 500 acre feet of water which the City has agreed to purchase from such District.
 - D. County crews will commence bituminous surfacing where new curb and gutter has been installed.
4. The following memorandum and agreement were read to the Council by Councilmember Smith:

SOCIAL SERVICES

MEMORANDUM

To: Power Board Date: 10/9/84
From: George Paulsen (Social Service Worker)
Subject: Protective Payee Status for the Grisham Family.

1. Under the agreement entered into between Social Services and Joe and Mary Grisham, Social Services will become a protective payee for this family to determine expenditures of all future income. (See copy of agreement)
2. Mr. Wilcox (Our APA Supervisor) indicated that Grisham family can apply for energy assistance on Oct. 15, 1984 and that they should qualify for this assistance. (The amount should be around \$326.00)
3. The family has a new baby that was recently brought home from the hospital in Salt Lake. (The baby has some medical problems)
4. In light of the above a request is made that their lights (utilities) be turned back on at this time and an agreement be worked out for the payment of the large past due amount.

Sincerely,

George Paulsen

We, Joe and Mary Grisham, voluntarily request that Social Services become protective payee for our family.

We would like our Tribal General Assistance Grant to be sent to Social Services at 522 North 100 East, in care of George Paulsen, each month and we will meet with him to insure a timely payment of our financial obligations.

Mary J. Grisham	10/10/84
Joe Grisham Sr.	10/09/84

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Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City accept the terms and conditions of the foregoing memorandum and agreement subject to the amount of monthly payment on the delinquent account being set at not less than \$25.00 per month.

5. The Mayor reported and/or discussed with the Council the following items:
A. The Deadhorse Point State Park Silver Anniversary celebration will be held October 13, 1984 at 11:00 a.m. in Moab, Utah.

B. Governor Matheson will be at the Grand County Commissioner Chambers at 3:30 p.m. on October 12, 1984.

6. Following discussion of funding the Nations of the Four Corners Cultural Center, motion was made by Councilmember Pincock, seconded by Councilmember Lyman and unanimously carried that the Mayor be authorized to request on behalf of the City of Blanding, an additional \$50,000 from the Utah Permanent Community Impact Board for assistance in funding the Nations of the Four Corners Cultural Center.

7. The Mayor presented the following invoices for review by the Council:

<u>Project</u>	<u>Supplier</u>	<u>Amount</u>
Science Building	Nielson Sand & Rock	\$ 11,497.00
Science Building	Canyonlands Texaco	364.52
Science Building	Jeffrey Black	324.00

Following review and discussion of the above matter, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the above accounts be approved for payment.

8. The Council discussed the need for administrative assistance in the handling of City affairs.

Motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that because the Mayor is currently being required to expend considerable time in the administration of City affairs without proper compensation, salary consideration for the Mayor be increased to \$120.00 per day for the period from date hereof to and including October 9, 1985 for which he shall be required to be engaged in City business each Wednesday during such period.

Meeting adjourned at 9:37 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD OCTOBER 24, 1984
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson
	Francis M. Lyman
	J. Carl Osborn
	Richard D. Pincock
	Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer

Also present was Marsha Keele.

1. Prayer was offered by Councilmember Pincock.
2. Minutes of City Council meeting held October 10, 1984 were approved subject to the motion under Item #8 being revised to read as follows:

Motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that because the Mayor is currently being required to expend considerable time in the administration of City affairs without proper compensation, salary consideration for the Mayor be increased to \$120.00 per day for the period from date hereof to and including October 9, 1985 for which he shall be required to be engaged in City business one day each week during such period excepting that said arrangement may be terminated by either the City Council or the Mayor by giving not less than 30 days notice of the intent to terminate.

3. The following letter was read in full by Council Lyman:

October 12, 1984

Mr. Bill Hurley, Director
Utah Department of Transportation
UDOT/DPS Building
4501 South 2700 West
Salt Lake City, Utah 84119

Dear Mr. Hurley,

The San Juan County Commission hereby requests highway number U.S. 666 be extended from its present termination at Monticello to Blanding, thence west to Hanksville replacing U-95, thence west to Richfield replacing U-24 and U-119 to Richfield as shown on the enclosed map.

By copy of this letter and map we are asking Wayne and Sevier Counties for their concurrence as well as Richfield, Monticello, Blanding, Hanksville, Torrey, Bicknell, and Loa.

Please advise if there is any further information required.

Sincerely,
The San Juan County Commission
Commissioner Calvin Black, Chairman
Commissioner Kenneth R. Bailey
Commissioner Robert Low

CB/cth

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City of Blanding go on record as favoring the highway numbering changes as stated in the foregoing letter.

4. The following letter was read in full by Councilmember Lyman:

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October 18, 1984

City of Blanding
Blanding, UT 84511

Dear Permittee,

During a spring inspection of your facilities at Johnson and Indian Creeks, the following deficiencies need your attention:

Johnson Creek

- 1) A stream channel is needed by the stone wall located on the west side of the area. During a heavy water year, there is the potential of water damming behind the blockage and then breaching. Besides the loss of natural material, I am concerned about the safety of any visitors in the area.
- 2) The disturbed area west of the diversion facilities needs to be seeded.
- 3) The stockpile area needs to have the clay material removed. The area then needs to be seeded.
- 4) The road by the gate was severely rutted and should be graded.

Indian Creek

- 1) Seeding was successful in very few areas. Reseeding needs to occur.
- 2) Excess construction material needs to be removed from the site.
- 3) It appears that a hole has developed at the connection between the upper ditch and the tunnel. I am concerned in terms of erosion and visitors safety. This needs your immediate attention.

Lastly, prior to closing the Forest Service files on these construction projects, we will need to receive 2 sets of "as-built" plans.

If you have any questions, please don't hesitate to contact me at 587-2114.

Sincerely,

RONALD D. DICKEMORE
District Ranger

5. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-23

A RESOLUTION ACCEPTING THE
COMPLETED CONSTRUCTION OF THE
BLANDING CITY WASTEWATER TREATMENT
FACILITIES

WHEREAS, the City of Blanding has received a federal sewage works grant from the Environmental Protection Agency No. C490201-94 for construction of sanitary sewer improvements, and,

WHEREAS, the City of Blanding awarded construction on this project to Stratton Brothers Construction, Inc., and,

WHEREAS, the construction contractor, Stratton Brothers Construction, Inc. of Hurricane, Utah, has completed the construction work on the subject project in basic compliance with the approved contract plans and specifications, and,

WHEREAS, Horrocks Engineers, Inc., the consulting engineering firm, has recommended acceptance of the project subject to the completion of remedial "punch list" items, and,

WHEREAS, the contractor is bonded under the guarantee provisions of the contract for a one year period which will end on December 14, 1984,

NOW THEREFORE, be it resolved that the City of Blanding does hereby accept the completed construction from the contractor for the subject project.

PASSED, ADOPTED and APPROVED by the City Council of the City of Blanding, Utah, on the 24th day of October, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

6. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1984-24

A RESOLUTION AUTHORIZING EXECUTION
OF A RIGHT-OF-WAY AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute a Right-of-Way Agreement wherein Mr. Oren K. Palmer is granted the right of ingress and egress utilizing the north roadway at the Blanding Cemetery for access to his property adjoining the east boundary of said cemetery; that a copy of said Right-of-Way Agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 24th day of October, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

7. Motion for adoption of the following resolution was made by Councilmember Pincock, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1984-25

A RESOLUTION AUTHORIZING THE CITY ENGINEER
TO EXECUTE ADMINISTRATIVE DOCUMENTS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City Engineer be, and he is hereby, authorized to execute administrative documents in behalf of the City of Blanding, necessary to expediting the construction of the Blanding City Starvation Reservoir, excepting that no authority is hereby granted for increasing the contracted price for such construction.

PASSED ADOPTED and APPROVED this 24th day of October, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

ABF278

8. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Pincock and unanimously carried:

RESOLUTION NO. 1984-26

A RESOLUTION AUTHORIZING THE
EXECUTION OF A QUIT-CLAIM DEED

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Quit-Claim Deed wherein the City of Blanding is deeding right, title and interest to land in the vicinity of the Blanding City Water Treatment Plant to Mrs. Dorothy J. Perkins in consideration for the exchange of other land in the same area, said action being necessary to complete a transaction agreed upon with Mr. Kloyd Perkins, now deceased; that a copy of such deed be attached hereto and made a part hereof by reference.

PASSED ADOPTED and APPROVED this 24th day of October, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

9. The Engineer reported and/or discussed with the Council the following items:

A. Mr. Maurice Pugh requested the Council consider allowing water and sewer connections to a house being built by the Pugh family for his mother at approximately 450 West 200 North Street in exchange for a street right-of-way on the south side of such residence and property. The Council agreed that the City does not purchase streets rights-of-way and that such an exchange would establish an unwarranted precedent.

B. The Johnson Creek Pipeline is proceeding well.

C. Sidewalk forms are in place at 141 North 100 West and 259 North 100 West.

D. The contractor is making rather slow progress on the Starvation Reservoir project.

10. Councilmember Johnson, representing the City Economic and Development Council, inquired as to the possibility of getting the building debris cleared away from the lot east of the First Western National Bank building.

The Council agreed that the property owner be advised of his responsibility to remove such deleterious material.

11. Councilmember Pincock reported to and/or discussed with the Council the following items:

A. Traffic control light and the signing at Center and Main Streets continue to be inadequate for the purpose of directing traffic southerly on U.S. Highway 191. The Council agreed that Councilmember Pincock and the Engineer shall give further consideration to this matter, coordinating the same with the Utah Department of Transportation.

B. In a meeting with the community businessmen a request was made by the businessmen present for the City to participate on a cost-sharing basis in the replacement of Main Street sidewalks. The Council agreed that the Streets and Sidewalks Committee must consider the matter relative to establishing construction priority prior to the Council making a decision.

C. Various groups and agencies have requested to place advertisement and other type banners on cables crossing over City street and a policy needs to be established relative to granting authority for such installations. The Council agreed that they will act on such request.

12. Mayor Bradford advised the Council that consistent with requirements of the Federal Rehabilitation Act (Revenue Sharing) regulations relative to non-discrimination regarding handicapped persons the Blanding City Plan of Compliance, inclusive of selection of a pertinent committee, was developed effective October 17, 1983.

Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-27

A RESOLUTION RATIFYING AND CONFIRMING THE
ACTION OF THE MAYOR IN THE PREPARATION OF
A PLAN OF COMPLIANCE, SECTION 504,
REHABILITATION ACT OF 1973

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor in selecting a committee and preparation of the Blanding City Plan of Compliance, Section 504, Rehabilitation Act of 1973, be, and the same is hereby, ratified and confirmed; that a copy of such Plan of Compliance be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 24th day of October, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

13. Mayor Bradford reported to the Council the following items:
- A. The Administrator will meet with the Ute Mountain Ute Tribal Council in Towaoc, Colorado on October 25, 1984 relative to the Blanding Airport land exchange.
 - B. The Council is invited to visit the Ephriam City Hydro-Electric Plant October 25, 1984 from noon until 7:00 P.M.

14. The following invoice was presented for review by the Council:

<u>Project</u>	<u>Supplier</u>	<u>Amount</u>
Science Building	Donald Bayles Plumbing and Heating	\$ 2100.00

Following review and discussion of the above invoice, motion was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried that the above account be approved for payment.

Meeting adjourned at 9:08 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD NOVEMBER 14, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer

Absent was Councilmember: J. Carl Osborn

Also present were: Nyle Bennett; Jens Nielson; Tom Austin, Jr.; Preston Palmer.

1. Minutes of City Council meeting held October 24, 1984 were approved.
2. The Council decided that discussion relative to Ordinances pertaining to regulation of pawn brokers, second hand and junk dealers should be deferred to a later meeting.
3. The Engineer reported to and/or discussed with the Council the following items:
 - A. The Starvation Reservoir is progressing well. The Johnson Creek Pipeline project is moving rapidly.
 - B. Materials necessary for the water distribution line extension on 800 North Street between the Blanding Stake Center and the San Juan County Nursing Home are on hand. No installation bids have been received on the project to date.
 - C. The City Street Department completed the graveling in the street adjacent to Juniper Village with the assistance of San Juan County equipment.
 - D. City employees have repaired a number of water leaks.
4. The Administrator reported and/or discussed with the Council the following items:
 - A. Blanding City's portion of the construction funds for the Starvation Reservoir and Johnson Creek Pipeline projects are nearly exhausted; however, we have been advised that the Utah Permanent Community Impact Board Funds will be forthcoming in the near future.
 - B. Final settlement with the contractor on the Sewer Treatment Facilities Project will involve the City of Blanding completing final "punch-list" items for which the contractor will reimburse the City. This will enable us to complete the necessary final documents required by the Utah Division of Environmental Health and the Environmental Protection Agency.
 - C. Work has commenced on the Blanding Recreation Complex Service Building. Concrete blocks are on hand and the balance of the construction materials have been ordered.
 - D. We were audited recently by the Utah Division of Community and Economic Development personnel relative to the Halls Crossing Recreation study, the Starvation Reservoir Project engineering and the Science Building Project. We were advised that functions and activities in connection with these projects were in order.
 - E. The Utah State Class C Road Fund auditor has completed his annual review of the Blanding City Class C Road program and advised that our expenditures and conduct of the program are consistent with State law.
5. Councilmember Pincock discussed with the Council the proposal to rid the City streets of old vehicles and unused equipment, trailers, trash and debris, as well as the status of the old Frontier Theatre property cleanup.

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6. Councilmember Smith informed the Council of his attendance at a meeting in Monticello with the Utah State Engineer relative to allocation of underground water within the State of Utah.

Following discussion, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the City support legislation which would revise allocation of water within the State of Utah.

7. The Mayor reported to and/or discussed with the Council the following items:

A. Height of the San Juan Center Science Building walls has been lowered approximately 10" to negate the necessity for two bond beams at the top of the adobe walls.

B. Met with the Community Impact Board on November 8 relative to presenting a proposal requesting \$50,000 for the Nations of the Four Corners Cultural Center. The Board voted in favor of the request.

C. Local archeological excavation and proposed legislation relative to control of the same.

D. Distributed the monthly police report.

8. The Mayor received a request from Steve Creamer, Creamer and Noble Engineers, that the City submit a letter to Governor-elect Bangerter asking that he retain Buzz Hunt as Director, Division of Community Development, Utah Department of Community and Economic Development.

Motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the City write a letter to Governor-elect Bangerter requesting that Mr. Buzz Hunt be retained as Director, Division of Community Development, Utah Department of Community and Economic Development.

9. Following discussion of proposed legislation relative to the development of Integral Vistas as a buffer zone around national parks, motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City of Blanding inform Utah Congressional representatives that the City of Blanding opposes legislation which would limit development adjacent to national parks.

10. Mayor Bradford informed the Council that he had met with representatives of the Bureau of Indian Affairs and the Ute Mountain Ute Tribal Council relative to Blanding City obtaining land from the Ute Mountain Ute Tribe for the purpose of extending the Blanding Airport runway; that he had extended an offer to the Tribe of \$200 per acre above the U.S. Bureau of Indian Affairs land appraisal.

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the action of Mayor Bradford in offering the Ute Mountain Ute Tribe \$200 per acre in excess of the U.S. Bureau of Indian Affairs appraised price for land adjacent to the Blanding Municipal Airport be, and the same is hereby, ratified and confirmed.

11. The Council discussed the status of Jeffrey L. Black's employment and agreed that he should be continued as a city employee for not less than one year.

Meeting adjourned at 8:27 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD NOVEMBER 28, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman Richard D. Pincock Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer

Absent was Councilmember: J. Carl Osborn

Also present were: Marsha Keele; Chief of Police, J. Bevan Wright; Finley Bayles.

1. Prayer was offered by Councilmember Smith.
2. Minutes of City Council meeting held November 14, 1984 were approved.
3. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-28

A RESOLUTION AUTHORIZING AN AMENDMENT
TO AN AGREEMENT WITH THE UTAH STATE
DEPARTMENT OF COMMUNITY AFFAIRS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute an amendment to an agreement with the Utah State Department of Community Affairs more particularly described as Contract No. DCED 84-3491; that a copy of such amendment be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 28th day of November, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

4. The Engineer presented to the Council the following bids for installation of a water transmission line extension on 800 North Street between 100 West Street and 300 West Street.

BIDDER	AMOUNT
Monticello Plumbing/Ben Musselman	\$ 2500.00
Bayles Plumbing and Heating/ Donald Bayles	\$ 5480.00

Following discussion of the above matter, motion was made by Councilmember Smith, seconded by Councilmember Pincock and unanimously carried that the bid of Ben Musselman in the amount of \$2500.00 be accepted for the installation of a water transmission line extension on 800 North Street between 100 West Street and 300 West Street.

5. The Engineer reported and/or discussed with the Council the following items:
 - A. Stratton Brothers Construction Co., Inc., contractor for the Starvation Reservoir Dam project, received winter shutdown November 26, 1984. Necessary

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repairs will be made at the Upper Ditch so that the spring run-off water can be caught.

B. The Johnson Creek Pipeline project is progressing well. The matter of alleged improper bedding of the pipe has been discussed with the contractor and he has stated that the pipe has been bedded consistent with the contract specifications. He has agreed that he will guarantee the pipeline installation against maintenance and repair problems for a reasonable number of years, and will make such guarantee in written form as we may require.

6. The following invoices were presented for review by the Council:

<u>Project</u>	<u>Supplier</u>	<u>Amount</u>
Science Building	Canyonlands Texaco	\$ 361.52
Science Building	Cobitco	846.72
Science Building	Motor Parts	176.18
Science Building	Utah Navajo Industries	4546.62
Science Building	Northern Electric	9060.00
Cultural Center	Canyonlands Texaco	33.00
Cultural Center	Utah Navajo Industries	117.99

Following review and discussion of the above invoices, motion was made by Councilmember Pincock, seconded by Councilmember Lyman and unanimously carried that the above accounts be approved for payment.

7. Councilmember Johnson informed the Council that the following members of the Parks and Recreation Committee have resigned:

LaDawn Lacy
Patsy Shumway
Don Palmer

Councilmember Johnson recommended the following persons to serve on the Parks and Recreation Committee:

Judy Erickson
Lea Hurst

The Council gave their advise and consent to such appointments.

8. Following discussion of the successful participation of Tara Laws in State and Regional marathon races and her pending representation of the State and area in the national Junior Olympics, the Council agreed that her efforts should be recognized by the City in proclamation form.

9. Councilmember Lyman informed the Council that a group of Venture Scouts from Las Vegas are interested in cleaning debris from the 3rd and 4th Reservoirs next summer for the experience of using their scuba diving equipment in pursuit of a general community service project.

10. Councilmember Pincock discussed with the Council the desire of some citizens to participate in the curb, gutter and sidewalk program outside the area of the current priority listing. The Council agreed that the proposals of such citizens should be addressed during the preparation of the next ensuing curb, gutter, sidewalk and street project priority listing.

11. Councilmember Smith reported and/or discussed with the Council the following items:

A. Installation of grease traps at the San Juan County Nursing Home, as recommended by the City Engineer, would constitute a considerable maintenance problem for Nursing Home maintenance personnel. The Council agreed that this matter should receive further study by the City.

B. Revision of State laws limiting allocation of underground water by the State of Utah will require action by the State legislature prior to area water users being given right to use of water currently available in water wells owned by them. The Council agreed to support agencies and governmental subdivisions involved in applicable proposed law revisions.

12. Mayor Bradford reported and/or discussed with the Council the following items:

A. A letter from the Utah State Division of Economic Community Development indicating procedures to be followed in rural areas relative to creating a healthier job climate.

B. County Commissioners from the five counties surrounding Lake Powell will meet with National Park Service Officials on December 14, 1984 relative to national park development matters.

C. San Juan County Economic Development Board is in process of preparation of a brochure relative to the Trail of the Ancients.

13. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1984-29

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN AIRPORT OPERATING AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain airport operating agreement by and between the City of Blanding and San Juan County wherein the terms and conditions for operation of the Blanding Municipal Airport are setforth; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 28th day of November, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

14. The following ordinance was read in full to the Council:

AN ORDINANCE TO REGULATE PAWNBROKERS

CHAPTER 9-700. ORDINANCE TO REGULATE PAWNBROKERS.

PART 9-710. PAWNBROKER DEFINED. "Pawnbroker" is defined to be any person who loans money or deals in the purchase or exchange of personal property, on condition or selling the same back again to the pledgor or depositor; or who loans or advances money on personal property by taking a chattel mortgage or security thereon, and takes or receives such personal property or other indicia of title into his possession; or any person who sells unredeemed pledges with or without the contemporary sale of new merchandise to facilitate the sale of merchandise.

9-711. LICENSE REQUIRED. It shall be unlawful for any person to be in the business of pawnbroker in Blanding City, without having previously obtained a license to operate as a pawnbroker in accordance with the provisions of this chapter.

The license fee for a pawnbroker shall be set by City Ordinance or resolution, each license shall be good for one year from date of issuance. The license after being issued shall be displayed prominently in the place of business and a copy of all ordinances pertaining to the conduct or transaction of pawnbroker business, shall be posted in a conspicuous place in the place of business in such a way that it can be easily perused by all who do business with the pawnbroker.

9-712. BOND REQUIRED. Before any license is issued to a pawnbroker under the provisions of this chapter, the applicant for such license shall execute and deliver to the City a bond in the sum of five thousand dollars executed by a corporate surety authorized to do business in the state of Utah and conditioned upon the faithful performance of such licensee of all ordinances of Blanding City respecting pawnbrokers.

9-713. RECORDS TO BE MAINTAINED.

1. It shall be unlawful for any person licensed by this chapter to fail to keep upon the licensed premises a substantial and well-bound book in which he shall enter in the English language at the time of receiving any goods, including those on consignment and including coins and currency, which coins and currency are obtained at a price other than face value:

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- A. An accurate account and description of each item received.
 - B. The amount of money paid or value of property traded.
 - C. The date, both day and hour, of receiving said items.
 - D. The name, address and description of the person making the transaction. The description shall include such items as may be required by the Blanding City Police Department in bulletins given to the licensee from time to time.
 - E. A numerical identifier obtained from identification containing a photograph of the person making the transaction. The person presenting the identification must be the same person whose photograph appears on the identification.
 - F. The date of sale, disposal or scrapping of the item shall be added when the item is sold, scrapped or otherwise disposed of.
2. Each licensee shall also keep a separate record which shall be sent to the police department and which shall be cross-referenced to the book referred to in paragraph 1 and which shall contain, in addition to the requirements of subparagraph 1:
- A. A certificate, accompanied by the signature of the person delivering said item(s) that he/she has the legal right to pawn or sell said item(s).
 - B. A legible fingerprint of the person making the transaction - preferably the right thumb print.
 - C. A legible signature of the person receiving the item at the time of transaction of each item.
3. No entries on any record shall be erased, obliterated, defaced, and the receiving licensee shall keep the record available during business hours for inspection by any Blanding City police officer.
4. It shall be unlawful for any person to dispose of or alter any items received for a period of thirty (30) days from date of receiving said items, except to return to the person originally pawning the item. Said items shall be available for inspection by any Blanding City police officer during reasonable business hours while in licensee's possession or control.
5. If required to do so by a peace officer of the Blanding City Police Department, any item delivered to the licensed business must be retained and held, until released by the police department or placed in the custody of a police agency to be held as evidence.
6. The records required to be maintained by this chapter shall be maintained by the business for a period of two years from date of transaction.

9-714. LEGIBILITY OF RECORDS - INSPECTION OF PREMISES.

All entries shall be made with non-erasable ink in a legible manner. The Blanding City Police Department shall also be permitted to have access, during business hours, to all premises licensed under this Chapter for the purpose of the inspection of said premises and records.

9-715. COPIES TO POLICE DEPARTMENT. It shall be unlawful for any person licensed by this Chapter to fail to submit a copy of all entries required to be maintained by this Chapter to the Blanding City Police Department upon request by said agency.

9-716. RECEIPT OF ITEMS WITH ALTERED, DEFACED, MUTILATED OR REMOVED IDENTIFICATION MARK PROHIBITED. No business licensed pursuant to this Chapter shall receive any item which has obviously had the manufacturer's serial number or any owner's personal identification mark altered, defaced or obviously mutilated or removed.

9-717. HOURS OF BUSINESS. It shall be unlawful for any pawnbroker to receive any goods by way of pawn or pledge or to keep his place of business open before the hour of 7:00 a.m., or after 7:00 p.m.; provided however that on Saturday of each week and on days preceding legal holidays and the last 15 days of December of each year, it shall be lawful for said pawnbroker to keep his place of business open until 11:00 p.m.

9-718. CONNECTION WITH OTHER BUSINESS PROHIBITED. A pawnbroker licensed under the provisions of this chapter shall be exempt from the licensing ordinances pertaining to general second-hand dealer, second-hand precious metal and/or gem dealer and numismatic dealer, which right shall be included under the pawnbroker's license. A pawnbroker engaged in said businesses shall comply with all other ordinances pertaining to such businesses.

9-719. LICENSEE IS LIABLE FOR ACTS OF EMPLOYEES. The holder of a license, under this chapter, is strictly liable for any and all acts of his own employees or any violation by them of any provisions of this chapter.

9-720. PROVISIONS HELD INVALID. If any of the provisions of this chapter or the application of any provisions to any person or circumstances is held invalid, the remainder of this chapter shall not be affected thereby.

This ordinance passed by the City Council of the City of Blanding this 28th day of November, 1984.

Mayor

Attest:

Recorder

Motion for adoption of the foregoing ordinance was made by Councilmember Smith and seconded by Councilmember Pincock, voting on the motion being as follows:

Those voting "AYE": Councilmember Johnson
Councilmember Lyman
Councilmember Pincock
Councilmember Smith

Those voting "NAY": None

Those Absent: Councilmember Osborn

constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried and AN ORDINANCE TO REGULATE PAWNBROKERS duly adopted and approved.

This ordinance shall take effect 30 days following its first posting.

15. The following ordinance was read in full to the Council:

AN ORDINANCE TO REGULATE SECONDHAND AND JUNK DEALERS

CHAPTER 9-800. ORDINANCE TO REGULATE SECONDHAND AND JUNK DEALERS.

Part 9-810. DEFINITIONS. For the purpose of this chapter the following words shall have the meaning as herein defined.

1. General secondhand dealer. "General secondhand dealer" shall mean any person engaging in the business of purchasing, bartering, exchanging or selling of any secondhand merchandise of value. For the purpose of this chapter, a "general secondhand dealer" shall not include any person who: (a) Deals solely in the purchasing, bartering, exchanging or selling of used motor vehicles or trailers; (b) A store, office or place of business operated by a charitable organization which acquires a license pursuant to subsections 2, 3, 4, 5 and 6 of this section; and (d) Person who deals solely in the consignment sale of used clothing provided such clothing does not include jewelry or furs.

2. Secondhand precious metal and/or precious gem dealer. "Secondhand precious metal and/or precious gem dealer" shall mean any person engaging in the business of purchasing, bartering, exchanging or selling, in any form: (a) secondhand gold, silver, platinum or other precious metals or secondhand articles containing any of such metals; or (b) secondhand precious gems or any secondhand articles containing any precious gems.

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3. Secondhand junk dealer. "Junk dealer" shall mean any person engaging in the business of purchasing, bartering, exchanging or selling: (a) secondhand metals other than precious metals; or (b) glass, rags, rubber, paper or other articles commonly known as junk from a fixed place of business. For the purposes of this chapter, a "junk dealer" shall not include a scrap metal processor licensed under these revised ordinances.

4. Secondhand junk collector. "Junk collector" shall mean any person not having a fixed place of business within the corporate limits of Blanding who goes from house to house or place to place gathering, collecting, purchasing, bartering, exchanging, selling or otherwise dealing solely in secondhand rags, papers, metals or other articles commonly known as junk.

5. Antique dealer. "Antique dealer" shall mean any person engaging in the business of purchasing, bartering, exchanging or selling old or archaic items which are indicative of an older culture, excluding numismatic item(s) and precious metals and/or precious gems. Any dealer who receives antique items that contain precious metals and/or precious gems must also obtain a secondhand precious metal and/or precious gem dealer's license. Any dealer who receives numismatic items must also obtain a numismatic dealer's license.

6. Numismatic dealer. "Numismatic dealer" shall mean any person engaging in the business of purchasing, bartering, exchanging or selling for a value, other than its face value, any coins or any currency of the world which, in its original form, was minted or manufactured for the purpose or use as legal tender in the nation or country of origin, including those coins and currency which are or were minted or manufactured for commemorative purposes, providing the commemorative coins were made for use as legal tender in the nation or country of origin, but shall exclude gold and silver marketed as commodity items.

9-820. LICENSE FEE. The license fee for each of the businesses defined in this chapter shall be set from time to time by the City Council and shall include the following:

- (1) General secondhand dealer
- (2) Secondhand precious metal and/or precious gem dealer
- (3) Antique dealer
- (4) Secondhand junk dealer
- (5) Secondhand junk collector
- (6) Numismatic dealer

9-830. RECORDS TO BE MAINTAINED.

1. It shall be unlawful for any person licensed by this chapter to fail to keep upon the licensed premises a substantial and well-bound book, in which he shall enter in the English language at the time of receiving any goods, including those on consignment, and including coins and currency, which coins and currency are obtained at a price other than face value:

- (a) An accurate account and description of each item received.
- (b) The amount of money paid or value of property traded.
- (c) The date, both day and hour of receiving said items.
- (d) The name, address and description of the person making the transaction. The description shall include such items as may be required by the Blanding City Police Department in bulletins given to licensees from time to time.

(e) A numerical identifier obtained from identification containing a photograph of the person making the transaction. The person presenting the identification must be the same person whose photograph appears upon the identification.

(f) The date of sale, disposal or scrapping of the item shall be added when the item is sold, scrapped or otherwise disposed of.

2. Each licensee shall also keep a separate record which shall be sent to the police department and which shall be cross-referenced to the book referred to in paragraph 1 and which shall contain, in addition to the requirements of subparagraph 1:

(a) A certificate, accompanied by the signature of the person delivering said item(s) that he/she has the legal right to sell said item(s).

(b) A legible fingerprint of the person making the transaction - preferably the right thumb print.

(c) A legible signature of the person receiving the item at time of transaction of each item.

3. No entries on any record shall be erased, obliterated, defaced, and the receiving licensee shall keep the record available during business hours for inspection by any Blanding City police officer.

4. It shall be unlawful for any person to dispose of or alter any items received for a period of thirty (30) days from date of receiving said items, unless expressly permitted to do so by the Blanding City Police Department's designated representative, prior to the expiration of said thirty-day period. Said items shall be available for inspection by any Blanding City police officer during reasonable business hours while in licensee's possession or control.

5. If requested to do so by a peace officer of the Blanding City Police Department, any item delivered to the licensed business must be retained and held, until released by the police department or placed in the custody of a police agency to be held as evidence.

6. The records required to be maintained by this chapter shall be maintained by the business for a period of two years from date of transaction.

9-840. LEGIBILITY OF RECORDS - INSPECTION OF PREMISES. All entries shall be made with non-erasable ink in a legible manner. The Blanding City Police Department shall also be permitted to have access, during business hours, to all premises licensed under this chapter for the purpose of the inspection of said premises and records.

9-850. COPIES TO POLICE DEPARTMENT. It shall be unlawful for any person licensed by this chapter to fail to submit a copy of all entries required to be maintained by this chapter to the Blanding City Police Department upon request by such agency.

9-860. No business licensed pursuant to this chapter shall receive any item which has obviously had the manufacturer's serial number or an owner's personal identification mark altered, defaced or obviously mutilated or removed.

9-870. PROSCRIBED PERSONS. It shall be unlawful for any person licensed pursuant to this chapter or any employee of any person licensed pursuant to this chapter to receive any items from a person who is under 18 years of age or who is either intoxicated or obviously mentally deficient.

9-880. LICENSEE IS LIABLE FOR ACTS OF EMPLOYEES. The holder of a license, under this chapter, is strictly liable for any and all acts of his own employees for any violation by them of any provisions of this chapter.

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9-890. If any of the provisions of this chapter or the application of any provisions to any person or circumstances is held invalid, the remainder of this chapter shall not be affected thereby.

This ordinance passed by the City Council of the City of Blanding this 28th day of November, 1984.

Mayor

Attest:

Recorder

Motion for adoption of the foregoing ordinance was made by Councilmember Smith and seconded by Councilmember Pincock, voting on the motion being as follows:

Those voting "AYE":	Councilmember Johnson
	Councilmember Lyman
	Councilmember Pincock
	Councilmember Smith

Those voting "NAY":	None
Those absent:	Councilmember Osborn

constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried and AN ORDINANCE TO REGULATE SECONDHAND AND JUNK DEALERS duly adopted and approved.

This ordinance shall take effect 30 days following its first posting.

Meeting adjourned at 8:40 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD DECEMBER 12, 1984
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson
	Richard D. Pincock
	J. Carl Osborn
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Engineer:	Philip L. Palmer
SJ High Representative:	Clint Pincock
Absent were Councilmembers:	Francis M. Lyman
	Don E. Smith

Also present were: Lynn Lee, Director of San Juan Center, College of Eastern Utah; Pete Henderson, Principal of Blanding Elementary; Truman Rigby, Principal of A. R. Lyman Elementary; Preston Nielson, President of San Juan School District Board of Education; Gail Glover, member of San Juan School District Board of Education; Donald Jack, Superintendent of Schools, San Juan School District; members of Design West Architectural Firm from Logan, Utah.

1. Prayer was offered by Councilmember Osborn.
2. Minutes of City Council meeting held November 28, 1984 were approved.
3. The Engineer reported to the Council the following items:
 - A. All connections from the Johnson Creek pipeline to the water treatment plant and 3rd Reservoir have been completed. The Camp Jackson Reservoir valve will be opened next week and cleanup and repairs will be finished in the spring.
 - B. Ben Musselman, Monticello Plumbing, has completed the installation of a water transmission line extension on 800 North Street between 100 West Street and 300 West Street and the line is ready for service.
4. The Administrator reported to the Council that Mr. Dee Wamsley, electrical engineering consultant for the City, has advised the Council that there have been no significant changes relative to the Blanding City electric system study and the possible alternative electric power sources therein discussed. Mr. Wamsley recommended that the City pursue the obtaining of electric power through the Utah Association of Municipal Power Systems and the required wheeling agreement with Utah Power and Light Company.
5. The Engineer gave a brief report on a proposal of the San Juan School District which was presented to the City Planning Commission relative to enlarging the Blanding Elementary School facility. A letter from the Planning Commission relative to the matter was presented to each Councilmember.
6. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1984-30

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN APPLICATION FOR A DISTRIBUTION OF
REVENUES FROM UTAH STATE LIQUOR PROFITS

ABF278

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Application For Distribution of Liquor Profits And Beer Excise Tax, to the Utah State Tax Commission, as provided in 23-1-24, Utah Code Annotated, as amended, such profits and tax to be distributed beginning January 1, 1985, the authorized portion due the City of Blanding being \$4,502.78; that a copy of such application be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of December, 1984.

Cleal Z. Bradford
Mayor

ATTEST:

~~Francis D. Nielson~~
Recorder

7. The Administrator discussed with the Council the utilities services to the San Juan Center, College of Eastern Utah. The Council agreed that utilities services can be furnished to such institution through June 30, 1985 following which date billings will be submitted consistent with their use.

8. Councilmember Johnson discussed with the Council citizen complaints over the delay in getting the City Christmas decorations in place.

The Engineer informed the Council that light bulbs have been on order since July but have not yet been received. Christmas lights in place to date were working when installed.

9. Councilmember Johnson reminded the Council that no recognition has been offered to Tara Laws for her participation in the Junior Olympics. Following limited discussion the Council agreed that Miss Laws should be presented a flag (when available) which has flown over the nation's capitol together with a suitable plaque.

10. Councilmember Pincock discussed and/or reported to the Council the following items:

A. Concern over the number of dogs still running loose. The Council was advised that a number of dogs have been picked up and the dog ordinance is being enforced.

B. Vandalism problems within the community, particularly damage inflicted on property of a visiting performing group while entertaining at the San Juan High School Auditorium.

11. Mayor Bradford reported and/or discussed with the Council the following items:

A. The necessity for offering the sidewalk construction program to areas beyond the current priority zones.

B. The Annual City Employee Christmas Dinner will be held December 27th or 28th at Kenny's Cafe.

C. Distributed the monthly police report.

D. The matter of physician care and medical services in the community will require consideration within the near future.

12. Members of the San Juan School District Board of Education, the San Juan School District Superintendent and their architectural representatives presented to the Council a proposal for enlargement of the Blanding Elementary School to accommodate all elementary school children in the community inclusive of kindergarten through 5th grade students. The proposal recommended vacating 1st West Street from approximately 250 South to 300 South. The City suggested the project real estate needs might possibly be met by extending into the streets adjacent to School District property a distance of 40 feet.

Following discussion of the matter, it was agreed that the District's architects will further study the possible land use and the decision will be made at a later date as to whether a formal petition for vacating the street will be submitted to the City by the San Juan School District.

13. Clint Pincock will be the San Juan High School Social Studies Sterling Scholar representative to the City Council.

Meeting adjourned at 9:45 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JANUARY 12, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Francis M. Lyman Don E. Smith J. Carl Osborn Clea S. Johnson Bruce N. Black
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls
SJ High School Rep:	Susan Shumway

Also present were: Paul Foreman; Diana Wood; Steve Bronson; Stanley Bronson; Marsha Keele; Relva Bowring; Robby Bowring; Dennis Burt, Real Estate Representative Safeway Stores; Dennis F. Jones, Vice President George K. Baum & Co.; Norman Lyman; DeVon Stone; Dan Wheeler, Blanding 1st Ward Scouting Coordinator, and 8 scouts of Troop #311; Ryan Wheeler.

1. Minutes of City Council meeting held December 22, 1982 were approved.

2. Dennis Burt, Real Estate Representative Safeway Stores Inc. and Mr. Dennis F. Jones, Vice President George K. Baum & Co. presented to and discussed with the council a proposal of Safeway Stores Inc. to construct and operate a grocery store on the W½ of Block 14 Blanding Townsite Survey, Plat A. Following considerable discussion, motion was made by Councilmember Black and seconded by Councilmember Osborn that further discussion and action on the foregoing matter be postponed to the next official meeting of the council.

Voting on the motion was as follows:

Those voting "Aye": Councilmember Black
Councilmember Johnson
Councilmember Osborn
Councilmember Smith

Those voting "Nay": Councilmember Lyman

Whereupon the mayor declared the motion carried.

3. The following letter was read in full to the Council:

HARMAN AND FAIRBANKS ARCHITECTS

JANUARY 3, 1983

DON STEVENS
NATIONAL GENERAL BUILDERS
3856 WEST 5400 SOUTH
SALT LAKE CITY, UTAH
84118

DEAR DON,

ON THURSDAY DECEMBER 30, 1982 WE VISITED THE BLANDING AIRPORT JOBSITE AND FOUND THE FOLLOWING ITEMS YET TO BE COMPLETED.

1. GENERAL CLEAN UP OF THE JOB SITE.
2. COMPLETE INSTALLATION OF HEATING SYSTEM.
3. WEATHERSTRIP MECH. ROOM DOOR.
4. FINISH ACCESS HATCH IN MECH. ROOM.
5. REPAIR WOOD SOFFIT ABOVE ENTRY TO MECH. ROOM.
6. REMOVE PAINT OVERSPRAY FROM ALUM. WINDOW FRAMES.
7. GENERAL CLEAN UP OF INSIDE. (WASH WINDOWS)

8. REINSTALL FLOOR TILE THAT IS COMING UP.
9. REPAIR AND REPAINT CEILING WHERE WATER DAMAGE HAS OCCURRED.
10. COMPLETE INSTALLATION OF SERVICE COUNTER INCLUDING APPLICATION OF FINISH TO INSIDE OF DRAWERS AND SHELVES.
11. FINISH ALL INTERIOR DOORS TO A UNIFORM COLOR AND FINISH.
12. TRIM AROUND INTERIOR WINDOWS IN RESTROOMS AND REAR OFFICE. (WORKMANSHIP IS HORRIBLE)
13. CLEAN RESTROOMS.
14. FINISH GRAB BAR SUPPORT IN MEN'S RESTROOM.
15. LIGHT IN MEN'S RESTROOM IS INOPERATIVE.
16. LOWER WATER COOLER 6".

PLEASE NOTE THAT SECTION 1550 OF THE SPECIFICATIONS REQUIRES THAT THE CONTRACTOR SUPPLY A COMPLETE MECH/HEATING SYSTEM GUARANTEED FOR ONE YEAR.

THIS PROJECT IS LONG OVERDUE. IF WORK HAS NOT BEEN COMPLETED BY FEB. 1, 1983 WE WILL RECOMMEND TO THE OWNER THAT ANOTHER CONTRACTOR BE HIRED TO FINISH THE WORK AT YOUR EXPENSE.

SINCERELY,

P. KENT FAIRBANKS A.I.A.
HARMAN AND FAIRBANKS ARCHITECTS
345 WEST 1600 SOUTH SALT LAKE CITY, UTAH 84115 TEL.(801) 467-6173
PKF/vg

The Council concurred in the recommendation and actions of the foregoing letter.

4. The Mayor and Council agreed to the holding of a special council meeting on January 19, 1983 at 4:00 P.M.

5. In response to a notification that the week of January 16-22, 1983 has been proclaimed Teacher Appreciation Week, the Mayor and Council agreed that the same would be observed in the City of Blanding. Mr. Paul Foreman was requested as a representative of the Parents & Teachers Association, and Mr. Richard D. Laws, as President of SJ School District Board, to express the appreciation of the Mayor and Council for the efforts of teachers in the local schools.

6. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried.

RESOLUTION NO. 1983-1

A RESOLUTION AUTHORIZING OPENING AND
MAINTAINING AN INVESTMENT ACCOUNT WITH
MERRILL LYNCH PIERCE FENNER and SMITH INC.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City of Blanding be, and it hereby is, authorized and empowered to open and maintain an account with MERRILL LYNCH PIERCE FENNER & SMITH INC., and its successors, by merger, consolidation or otherwise, and assigns, hereinafter called the brokers, for the purchase and sale of stocks, bonds, options, or securities, on exchanges of which the brokers are members or otherwise, and that any of the officers hereinafter named be, and he hereby is, authorized to give written or verbal instructions by telephone, or telegraph, or otherwise, to the brokers to buy or sell stocks, bonds, options, or securities, either for immediate or future delivery and, if he deems proper to secure payment therefor with property of this corporation; and he shall at all times have authority in every way to bind and obligate this corporation for the carrying out of any contract, arrangement or transaction which shall, for or on behalf of this corporation, be entered into or made with or through the brokers; and that the brokers are authorized to receive from this corporation, checks and drafts drawn upon the funds of this corporation by any officer or employee of this corporation, and to apply the same to the credit of this corporation or to its account with said brokers and the said brokers are authorized to receive from said officer(s) or from any other officer or employee of this corporation, stocks, bonds, options, or securities for the account

of this corporation with said brokers; said brokers are further authorized to accept instructions from any officer herein named as to the delivery of stocks, bonds, options, or securities from the account of this corporation and at his direction to cause certificates of stocks, bonds, options, or securities held in said account to be transferred to the name of any officer hereinafter named or of this corporation in the discretion of said officer; and delivery to any such officer of such stocks, bonds, options, or securities, issued as directed by him, shall be deemed delivery to this corporation; and any such officer shall have the fullest authority at all times with reference to any transaction deemed by him to be proper to make or enter into for or on behalf of this corporation with the brokers or others. All confirmations, notices and demands upon this corporation may be delivered by the brokers verbally or in writing or by telegraph, or by telephone to any such officer and he is authorized to empower any person, or persons, that he deems proper, at any time, or times, to do any and all things that he is hereinbefore authorized to do. That this resolution shall be and remain in full force and effect until written notice of the revocation hereof shall be delivered to the brokers. The officer(s) herein referred to are named as follows, to-wit:

1. Francis D. Nielson, Director of Finance

PASSED, ADOPTED and APPROVED this 12th day of January, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Karalee Austin
Deputy Recorder

7. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried.

RESOLUTION NO. 1983-2

A RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT WITH THE UTAH
PERMANENT COMMUNITY IMPACT FUND BOARD

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Contract and agreement by and between the City of Blanding and the State of Utah acting by and through the Utah Division of Community Development, known as Contract No. DCED 0329, wherein the City is being granted the sum of \$17,000.00 for the purpose of assisting in funding fire station construction costs; that a copy of such contract be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of January, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

8. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried.

RESOLUTION NO. 1983-3

A RESOLUTION APPROVING SETTLEMENT
TERMS WITH UTAH POWER AND LIGHT
COMPANY IN THE MATTER OF RATE
FERC DOCKET ER 82-211.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City accept the settlement offer of Utah Power and Light Company as negotiated by the firm of Shea and Gardner on behalf of the Tri-State Intervention Group, et al, relative to Federal Energy Regulatory Commission Docket ER 82-211, fixing the increased revenue requirement at \$15.2 million and the rates to RS-2 customers, of which Blanding City is one, as follows:

<u>Demand</u>	<u>Energy</u>
12.88 per KW	1.561¢ per KWH

PASSED, ADOPTED and APPROVED this 12th day of January, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

9. Following discussion of a proposed Annexation Policy Declaration the Council conducted a public hearing relative to the same. There being no public statements or comments relative to the adoption of such policy motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried.

RESOLUTION NO. 1983-4

A RESOLUTION ADOPTING A PROPOSED POLICY DECLARATION AND
ANNEXATION OF PROPERTIES DESCRIBED ON THE MAP ATTACHED THERETO.

A meeting of the City Council of the City of Blanding, State of Utah, was held at the Blanding City Offices, Blanding, Utah, on the 12th day of January, 1983. A quorum of the City Council being present, whereupon the following resolution was offered by the Blanding City Council, hereinafter "Council",

RESOLVED, that a petition for annexation together with a Plat Map has been filed with the Council in compliance with Utah Code Annotated S10-2-416 and

The Petition being properly before the Council, the Council caused to be prepared an Annexation Policy Declaration, and

Have noticed a public hearing for this date, said notice being given at least 30 days prior to the hearing and giving the time and place of the hearing and the location where the draft policy declaration was available for review and has published in a newspaper of general circulation in the area, the proposed Annexation Policy Declaration and has in all respects complied with Utah Code Annotated S10-2-414.

BE IT FURTHER RESOLVED, that the Council has found that the Petition for Annexation and the proposed Annexation Policy Declaration meet the standards set forth in Utah Code Annotated, Title 10, Chapter 2.

BE IT FURTHER RESOLVED, that the Council does hereby adopt the terms and provisions of the proposed Annexation Policy Declaration, and

FURTHER RESOLVES that no protests being filed by written application by any affected entity within five days following this public hearing and this Council, the proposed Petition for Annexation is hereby adopted by the City Council of the City of Blanding, and the proposed territory shall hereby be deemed annexed and the territory shall be deemed and held to be part of the annexing municipality and the inhabitants thereof shall enjoy the privileges of the annexing municipality.

BE IT FURTHER RESOLVED, that upon no protests being made, a copy of the duly certified Plat or Map shall at once be filed in the office of the San Juan County Recorder, together with a Certified Copy of this Resolution declaring the annexation. This annexation shall be deemed final upon the filing of the maps or plats.

Discussion being had and the Council being fully advised in the premises, the matter was placed to a vote with:

5 In Favor

0 Opposed

DATED this 12th day of January, 1983.

CITY OF BLANDING

By Cleal Z. Bradford
Its Mayor

Attest:

Francis D. Nielson
City Recorder

10. The Direcor of Public Works advised the Council that Mr. Gerald Black, Water and Sewer Department Supervisor, resigned effective January 1, 1983. Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that such resignation be accepted and that the City immediately advertise for applicants to fulfill the position of Water and Sewer Department Supervisor and that, subject to the availability of qualified applicants, selection of an appointee to fill such position be made at the next regular council meeting.

11. Director of Public Works reported to the Council that crack sealing in the streets has been completed in the SW quandrant of the city.

12. The Engineer advised the Council that the City has received a letter from Utah State Division of Health indicating five items of necessary repairs and maintenance at the water treatment plant to be scheduled for completion by not later than January 14, 1983 or the water system will be subject to unapproved rating.

13. The Council discussed a communication received from Horrocks Engineers relative to Water System Improvements Phase I, the Johnson Creek and Indian Creek Projects, indicating justification for project completion extension time of 39 days estimated to commence June 1, 1983.

January 12, 1983 cont.

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14. The following letter was read in full by the Council:

HORROCKS ENGINEERS
One West Main
P.O. Box 377
American Fork, Utah 84003
Telephone (801) 756-7628

January 5, 1983

Mr. Francis D. Nielson
Blanding City Manager
P.O. Box 68
Blanding, Utah 84511

Subject: Blanding City Water Supply Improvements
Phase I Schedule I & II

Dear Bud:

This letter is to inform you and the City Council that Horrocks Engineers have received repeated complaints from material suppliers on the subject project for non-payment of materials delivered to the site. We were advised by ARMC0 personnel on January 3, 1983 that the check for \$18,734.43 paid by Albrecht Construction on September 17, 1982 had been returned twice from the bank for lack of funds drawn on the check. We were also advised that Geneva Pipe Company in October, again in November, and on the 5th of January, 1983 had still not received payment for materials in excess of \$17,000.00 delivered to the project and incorporated in the work. Albrecht Construction has been paid promptly for work completed and for materials delivered to the project site, including those above mentioned.

I am also disappointed that the contractor has repeatedly employed faulty equipment in the project work, thereby creating additional construction delays and expenses and damages to the owner for the prolonged construction period. The contractor also has failed to approach the project in a skillful manner with a working knowledge of grades and surveying techniques to complete the work as outlined by the contract specification.

In accordance with the Contract General Conditions, Section 18, Paragraph 2, I recommend the City Council declare Albrecht Construction to be in default of the contract entered into with Blanding City for completion of the subject contract work, by agreement dated August 4, 1982. Whereas the contractor has failed repeatedly to make prompt payments to subcontractors, laborers, and material vendors and on occasion disregarded the rules, regulations, or orders of the public body having jurisdiction over the work. The contractor should be given ten (10) days written notice that the bond company shall assume control of the project and supervise and coordinate its completion in compliance with the contract conditions, plans, and specifications within the remaining 39 calendar-day completion time. I request that the bond company be present to discuss the completion of the project with Blanding City officials and myself at Blanding, Utah on January 19, 1983 at the Blanding City offices at 2:00 p.m.

Sincerely,

HORROCKS ENGINEERS

Rex V. Harrison, P.E.
Project Engineer

db

cc: Mike Vowles, Levitt Insurance Group
Craig Hall, Blanding City Attorney
Boyd Phillips, Utah Division of Water Resources
Philip Palmer, Blanding City Engineer
Utah Department of Business Regulation, Contractor Licensing Division

The Council agreed to discuss this matter with pertinent parties in a meeting to be held at 2:00 p.m. January 19, 1983.

15. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City's Zoning Ordinance be revised relative to parking space requirements in commercially developed areas from one parking space per 150 sq. ft. of building area to one parking space per 250 sq. ft. of building area; the formal adoption of such revision to be effected following the preparation of a proper document.

16. Councilmember Osborn reported to the Council that the Planning Commission is in approval of the proposed vacating of 2nd East Street between U.S. Highway 163 and 1st North Street.

17. Councilmember Black requested that the City Administrator prepare a letter to Mr. Robert Redd indicating the City of Blanding is desirous of purchasing water rights from the Indian Creek drainage.

18. Councilmember Smith reported that Camp Jackson Reservoir is full and overflowing and the Council concluded that the drain valve should be opened at the earliest possible opportunity.

19. Councilmember Osborn recommended that Mrs. Linda Bird be appointed to fill a vacancy on the City Economic Development Committee which recommendation received the advise and consent of the Council.

Councilmember Osborn reported to the Council that there is one vacancy each on the Zoning Board of Adjustment and the Planning Commission. The Council recommended that Mr. Albert Kuipers be contacted relative to serving on the Zoning Board of Adjustment.

20. Motion was made by Councilmember Lyman and seconded by Councilmember Osborn that the request of Mr. Merwin Shumway to rezone the NW $\frac{1}{2}$ of Block 3, Blanding Townsite Survey, Plat A be denied.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Black
	Councilmember Lyman
	Councilmember Osborn
	Councilmember Smith

Those voting "Nay":	Councilmember Johnson
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Whereupon the Mayor declared the motion carried.

21. Mayor Bradford requested Councilmember Osborn assign the City Economic Development Committee to continue with the community advertizing and promotion either as a representative of the City or in cooperation with the Blanding Chamber of Commerce.

22. Mayor reported that he and City Administrator met with the San Juan County Commissioners and officials of Monticello City relative to erroneous local option sales tax distribution in San Juan County; that a decision was reached to compute the amounts due each entity and have the State Tax Commission effect the corrections necessary.

23. Mayor Bradford reported that the San Juan County Sheriff will henceforth bill the City of Blanding for meals fed to Blanding City prisoners at the San Juan County Jail at the rate of \$4.00 per day.

The Council agreed that when possible, Blanding prisoners should be given work assignments within the City to effect cost savings in transporting them to Monticello as well as meal charges while there.

24. Mr. Stanley Bronson of Grayson Development Corporation apprised the Council of the status of their proposed mall development to be located at the south edge of the community; that they are continuing their efforts to secure tenants for the proposed development.

25. The Council discussed the disbanding of the Blanding Police Auxiliary Organization. Mrs. Diana Wood expressed to the Council that the members of the organization desire that it might continue.

January 12, 1983 cont.

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Councilmember Lyman was requested to have the Chief of Police attend the next regular council meeting and discuss the matter of the Police Auxiliary as well as other police department matters.

Meeting adjourned at 11:50 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A SPECIAL MEETING OF THE
BLANDING CITY COUNCIL
HELD JANUARY 19, 1983
AT 4:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls

Also present were: Paul Ricks, Merrilee Ricks, Peter Kiewit Sons' Co.; Dennis Jones, Vice President, George K. Baum & Co.; Rex Friant, Bill Pratt, American Building Corporation; Ned Mitchell, Norma Mitchell, Ned B. Mitchell, Inc.; J. Mills, Weyher Co.; LaVon Getes, Horrocks Engineers; Clair Sharp, W. R. White Co.; Skip Lowe, Morgan Busk, Busk Inc.; Jay R. Randall, T. K. Inc.; Ottie Walter, Bishop Construction; Pete Black, Joe Hurst, Hurst Construction; Stan Bronson, Grayson Development; Robert Young, Young Builders; Lewis Black, E. A. Black Plumbing; Gordon Redd; D. W. Hunter; Bruce Shumway; Harold Lyman; Avaughn Hunt; Arvid Black; Earl Stevens; Phil Acton; Russ Stevenson; Alan Haun; Dave Guymon; Freeda Guymon; Marsha Keele; Gail McKay; John McKay; Calvin F. Black; Bonnie Lynn Mitchell; Jolene Holt; LaRell Van Dyke; W. B. Redd; Jerry Holliday; Debbi Halls; Bob Hosler; Duane Lyman.

1. Bid proposals for construction of a fire station were opened, read aloud and duly tabulated as follows:

BIDDER'S NAME	BID BOND	BASE BID	ALT. NO. 1	ALT. NO. 2	ALT. NO. 3
Raymond Construction Logan	5%	\$ 80,691	\$ 5,271	\$ 25,292	\$ 642
L.M. Nielsen & Son South Jordan	5%	83,080	18,600	30,936	1,200
C & A Development Springville	5%	76,446	4,465	17,245	1,568
Busk Inc. Richfield	5%	67,949	3,575	14,980	1,456
Hurst Construction Blain	5%	69,500	4,690	14,600	450
Young Builders Inc. Monticello	CC	70,193.79	5,415.29	19,959.75	1,437.28
Bishop Construction Salem	5%	84,400	7,280	9,280	7,200
T. K. Inc. Bountiful	5%	67,000	6,400	21,760	2,580

BIDDER'S NAME	ALT. NO. 4	ALT. NO. 5	ALT. NO. 6
Raymond Construction Logan	\$ 5,350	\$ 6,184	\$ 4,619
L.M. Nielsen & Son South Jordan	1,200	6,300	8,880
C & A Development Springville	1,937	6,160	2,850
Busk Inc. Richfield	1,597	6,765	3,500
Hurst Construction Blanding	1,570	---	2,990
Young Builder Inc. Monticello	1,888.34	5,565	3,309.07
Bishop Construction Salem	2,574	370	4,500
T. K. Inc. Bountiful	3,700	750	5,000

BIDDER'S NAME	ALT. NO. 7	ALT. NO. 8	ALT. NO. 9
Raymond Construction Logan	\$ 1,665	\$ 3,660	\$13,134
L.M. Nielsen & Son South Jordan	1,800	11,760	20,400
C & A Development Springville	2,200	6,006	6,824
Busk Inc. Richfield	1,200	3,231	16,308
Hurst Construction Blanding	2,000	2,670	9,200
Young Builder Inc. Monticello	1,749.23	2,700.92	10,624.74
Bishop Construction Salem	---	2,710	5,325
T. K. Inc. Bountiful	2,000	5,000	13,200

The City Engineer recommended the Council further study the proposals prior to making a decision on the matter.

2. Proposals for construction of wastewater treatment facilities were opened by the City's consultants, Horrocks Engineers, read aloud and duly tabulated as follows:

BIDDER	AMOUNT
American Building Corp.	\$ 1,295,162.48
Peter Kiewit	1,373,000.00
Ned Mitchell Construction	1,667,000.00
Stratton Bros.	1,145,000.00
W. W. Clyde	1,800,000.00
Weyher Construction Co.	2,118,000.00

Mr. Rex Harrison, P.E., Horrocks Engineers, advised that Stratton Brothers Construction Company is the apparent low bidder on the proposed wastewater treatment facilities project; that all proposals will have to be reviewed by Utah State Department of Health and the United States Environmental Protection Agency relative to their meeting all legal requirements prior to award of bid.

3. The Council discussed a request made by Mr. Dennis Jones, Vice President, George K. Baum & Co. that the City adopt an inducement resolution relative to the sale of industrial revenue bonds which would fund a grocery store to be constructed by Safeway Stores, Inc.

All members of the City Council and 14 citizens expressed themselves on the issue.

Motion for adoption of the following resolution was made by Councilmember Osborn and seconded by Councilmember Lyman.

RESOLUTION NO. 1983-4

RESOLUTION AUTHORIZING AND INDUCING THE EXECUTION
OF A MEMORANDUM OF AGREEMENT WITH SAFEWAY STORES,
INCORPORATED, A MARYLAND CORPORATION QUALIFIED TO
DO BUSINESS IN UTAH, REGARDING THE ISSUANCE OF
INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR A
COMMERCIAL PROJECT.

WHEREAS, Blanding, Utah (the "Issuer"), is an incorporated City authorized and empowered by the provisions of the Utah Industrial Facilities Development Act (the "Act") to issue industrial development revenue bonds or other forms of industrial revenue financing (the "Bonds") for the purpose of acquiring or financing manufacturing, industrial, or commercial projects; and

WHEREAS, in order to promote industry and commerce and develop trade by inducing manufacturing, industrial and commercial enterprises to locate or remain in the State of Utah and Blanding, the Issuer proposes to finance the acquisition of certain real property and the construction and installation thereon of a retail grocery store and related equipment, property and improvements (the "Project") within the boundaries of the Issuer to be developed and operated by Safeway Stores, Incorporated, (the "Company"); and

WHEREAS, the Company is reluctant to take steps toward the realization and completion of the Project without satisfactory assurance from the Issuer that the proceeds of the sale of the Bonds of the Issuer will be made available to finance said Project; and

WHEREAS, it is deemed advisable for the development, welfare and prosperity of the Issuer and its inhabitants that the Project be acquired, and that the Issuer take such action as may be required under applicable statutory provisions to authorize and issue its Bonds to finance the cost thereof, to an amount not exceeding \$2,200,000; and

WHEREAS, a form of agreement, designated as a "Memorandum of Agreement," has been prepared under which the Company has stated its willingness to commence acquisition, construction and installation of the Project; and

WHEREAS, it is considered desirable and for the best interest of said Issuer that execution of said Memorandum of Agreement be authorized for and on behalf of the Issuer:

NOW, THEREFORE, Be It Resolved by the City Council of Blanding, San Juan County, Utah, as follows:

Section 1. In order to assure the location of this Project within the boundaries of Blanding, Utah, with the resulting public benefits which will flow therefrom, it is deemed advisable that the Memorandum of Agreement hereinafter referred to, be approved and executed for and on behalf of the said Issuer.

Section 2. The Memorandum of Agreement by and between the Company and Blanding, Utah, in the form and with the contents set forth in Exhibit "A" attached hereto, is hereby approved and the execution thereof is hereby authorized.

Section 3. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. The City Council considers that this resolution is in the best interest of the Issuer, and therefore, it shall become effective immediately upon its passage, approval and adoption.

Passed and approved this 12th day of January, 1983, by the City Council of Blanding, Utah.

Mayor

ATTEST:

City Recorder

Voting on the motion was as follows:

Those voting "Aye": Councilmember Black
Councilmember Johnson
Councilmember Lyman
Councilmember Osborn

Those voting "Nay": Councilmember Smith

Whereupon the Mayor declared the motion carried and RESOLUTION NO. 1983-4 duly adopted.

4. Motion for the adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried.

RESOLUTION NO. 1983-5

A RESOLUTION APPROVING THE AWARD
OF A CONSTRUCTION CONTRACT IN THE
MATTER OF CONSTRUCTING WASTEWATER
TREATMENT FACILITIES

WHEREAS, subsequent to proper advertisement for proposals to construct wastewater treatment facilities, the City of Blanding received the following proposals:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
American Building Corp.	\$ 1,295,162.48
Peter Kiewit	1,373,000.00
Ned Mitchell Construction	1,667,000.00
Stratton Bros. Const. Co.	1,145,000.00
W. W. Clyde Const. Co.	1,800,000.00
Weyher Const. Co.	2,118,000.00

and,

WHEREAS, all proposals received were in apparent, proper order and Stratton Bros. Construction Co. is the apparent low bidder,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that, subject to concurrence by the project consultants, Horrocks Engineers, the Utah State Department of Health and the United States Environmental Protection Agency, a contract be awarded to Stratton Bros. Construction Company in the amount of \$1,145,000.00 for construction of wastewater treatment facilities in accordance with plans and specifications as prepared by said project consultants, Horrocks Engineers, from which such bid proposals were submitted.

PASSED, ADOPTED and APPROVED this 19th day of January, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. The Council discussed the possible award of bid for the construction of a fire station.

Motion was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried that the City accept the proposal of Hurst Construction Co. for construction of fire station, inclusive of the base bid and alternates 3, 4 and 6 at a total cost of \$74,510.

6. Following discussion relative to the disposition of the old airport terminal building, motion was made by Councilmember Osborn and seconded by Councilmember Johnson that the City raze the old airport terminal building utilizing prisoner help as such becomes available.

Voting on the motion was as follows:

Those voting "Aye": Councilmember Black
Councilmember Johnson
Councilmember Lyman
Councilmember Osborn

Those voting "Nay": Councilmember Smith

Whereupon the Mayor declared the motion arried.

7. The Recorder advised the Council that the National Park Service will observe the 75th anniversary of the founding of Natural Bridges National Monument on April 16, 1983 and have requested that Blanding City assist them in development of a proper anniversary program. Mayor Bradford agreed to assign the City Economic Development and Promotion Committee to assist in this matter.

8. The following letter was read in full to the Council:

SpaAmerica
40 East 300 South/(801)678-3336
Blanding, Utah 84511

January 18, 1983

To The Honorable Mayor Bradford and City Council,

We, the staff and management of Spa America, would like to extend to you a personal invitation to attend the grand opening of our facility (9:00 to 9:00 PM) this Saturday, January 22, 1983.

We would be honored to have you participate in the Ribbon-Cutting Ceremony at 12:00 Noon and be included in the pictures which will be taken.

We would also like to offer you and your family a tour through the facility as well as a free pass for a return visit, at your convenience.

Thank you,

Jerry L. Redd
Director of Public Relations

Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1983-6

A RESOLUTION COMMENDING SPA AMERICA
PRINCIPALS ON THE DEVELOPMENT OF THEIR FACILITIES

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the principals involved in the establishment and development of SPA America facilities in the City of Blanding be, and they are hereby, commended on the development of an adequate and useful facility, and all citizens are urged to utilize the same as may be proper in physical fitness and health programs.

PASSED, ADOPTED and APPROVED this 19th day of January, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 8:25 P.M.

Karalee Austin, Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JANUARY 26, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls
SJ High School Rep:	Susan Shumway

Absent was Councilmember: Clea S. Johnson

Also present were: Lee Smith; Marylynn Smith; William B. Redd; J. Bevan Wright, Chief of Police; Gordon Redd; Carolyn Hunt; Judy Erickson; Kay Jones; Robert Jones; LaRue McDaniels; Sharon Smith; Lewis Kay Shumway; Kirk Nielson; Mark Lyman; Tamara Lyman; Marsha Keele; Duane Lyman; Trine Lyman; Kent Tibbitts; Clinton Howell; Geri Osborn; Dana Nielson; Forrest Crofts; Shirley Crofts; Jim Shumway; Lynda Shumway; Stan Bronson; Boyd Bradford; David Motry; Margaret Redd; Kedric Redd; Bill Osborn.

1. Prayer was offered by Cleal Bradford.
2. Minutes of City Council meeting held January 12, 1983 were approved.
3. Mr. Lee Smith requested the Council rent office space to him in connection with his development of a flying service to be based at the Blanding Municipal Airport.
Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that, subject to agreement on the rental charges for use of the facility, the northeast room of the new airport terminal building be rented to Mr. Lee Smith for use in connection with his flying service based at the Blanding Municipal Airport.
4. Mr. William B. Redd of Blanding Mercantile Company presented arguments against the issuance of industrial revenue bonds to be utilized by Safeway Stores, Inc. for financing the construction of a grocery store building. Following comments on the matter by the Mayor and members of the City Council as well as a number of citizens present, motion was made by Councilmember Black and seconded by Councilmember Smith that the Council rescind RESOLUTION NO. 1983-4, RESOLUTION AUTHORIZING AND INDUCING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH SAFEWAY STORES, INCORPORATED, A MARYLAND CORPORATION QUALIFIED TO DO BUSINESS IN UTAH, REGARDING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR A COMMERCIAL PROJECT. Questions on the motion resulted in Councilmember Smith withdrawing his second. Mayor Bradford thereupon declared the motion defeated.
5. Following discussion relative to possible City liability which might be incurred by the Council rescinding RESOLUTION 1983-4 and need for further legal counsel, motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that further action relative to possible rescinding of RESOLUTION 1983-4 be postponed to a special meeting scheduled for February 1, 1983 at 9:00 o'clock a.m.
6. Dr. Kay Shumway, representing San Juan Center, College of Eastern Utah, presented to the Council a San Juan County Energy Report, A Guide to Locating Energy Data and Resources, for their information and use by the City as may be needed.
7. John B. Wright, Chief of Police, discussed with the Council the police department operation and answered questions relative to specific cases about which there has been considerable citizen concern and comment, as well as the necessity for disbanding the Blanding Auxiliary Police Organization. The Council expressed their appreciation to the police department for efficiency in handling City law enforcement matters and expressed confidence in the existing organization.

8. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried:

RESOLUTION NO. 1983-6

A RESOLUTION AUTHORIZING EXECUTION
OF A WATER IMPROVEMENTS CONTRACT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain contract by and between the City of Blanding and E. A. Black Plumbing and Heating of Blanding, Utah relative to the construction of pressure stations on the Blanding Culinary Water Distribution system, known as Blanding City Water System Improvement, Phase I, Schedule V; that a copy of said contract be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 26th day of January, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

9. Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that the action taken in a previous meeting accepting the proposal of Hurst Construction Company for construction of a fire station for the City of Blanding be revised to state that: the City accept the proposal of Hurst Construction Company for a fire station based on the total bid price as submitted by Hurst Construction Company; and that the City Engineer shall authorize the construction of such bid alternates as are consistent with the project budget.

10. Following review of proposals for furnishing hand receiver/transmitter sets to the City of Blanding for use by the police department, motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City accept the proposal of Canyonlands Communication for furnishing 4 Uniden 5 watt, 6 channel portable receiver/transmitter sets with accessories to the City at a price of \$737 each, totalling \$3048.00.

11. The Recorder discussed with the Council the possibility of refunding the Blanding City General Obligation Sewer Improvement Bonds, Series 2-1-82, for the purpose of obtaining a lower interest rate. Additional information on this matter will be forthcoming from the City's bond agents, following which a decision may be made on the matter.

12. The Council discussed the necessity for opening the drain valve at Camp Jackson reservoir. Councilmembers Smith and Black and the City Engineer will attempt to reach the site by snowmobile at an early date and effect the opening of the valve.

13. Councilmember Osborn advised that Mrs. Pat Seltzer, probably the sister of Alka and Bromo, has been recommended to fill a vacancy on the City Planning Commission. The appointment of Mrs. Seltzer received the advise and consent of the City Council.

14. Mr. Craig C. Halls, City Attorney, discussed with the Council an agreement by and between the San Juan County Water Conservancy District and the City of Blanding relative to the City purchasing 500 acre feet of water annually from the said district.

15. The Mayor, Councilmember Black, the Director of Public Works and the Administrator were appointed as a job applications screening committee in the matter of selecting a Water and Sewer Department Supervisor.

Meeting adjourned at 10:50 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A SPECIAL MEETING OF THE
BLANDING CITY COUNCIL
HELD FEBRUARY 1, 1983
AT 9:00 O'CLOCK A.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don. E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
Director of Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls

Also present were: Dennis Jones, Vice President, George K. Baum & Co.;
53 citizens from City of Blanding.

NOTE: The Council received a number of petitions from citizens of the City of Blanding and a resolution from the Red Mesa Chapter of the Navajo Nation indicating support for issuance of industrial revenue bonds to be utilized by Safeway Stores, Inc. in funding construction of a grocery store building in the City.

1. Francis M. Lyman offered opening prayer.
2. Mayor Bradford explained that the primary purpose of the meeting was to discuss the proposed issuance of industrial revenue bonds to be utilized by Safeway Stores, Inc. for financing construction of a grocery store building.
3. Craig C. Halls, City Attorney, advised the Council that there has apparently been no liability incurred by the Council and that none should be incurred as the result of the Council adopting RESOLUTION NO. 1983-4, A RESOLUTION AUTHORIZING AND INDUCING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH SAFEWAY STORES, INCORPORATED, A MARYLAND CORPORATION QUALIFIED TO DO BUSINESS IN UTAH, REGARDING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR A COMMERCIAL PROJECT; and further no liability should be incurred by the Council rescinding the action adopting such resolution.
4. Mr. Dennis Jones, Vice President, George K. Baum & Co., explained the industrial revenue bond in progress.
5. The Mayor and City Council members addressed the matter of possibly issuing industrial revenue bonds in behalf of Safeway Stores, Inc., for their use in constructing a grocery store building, in the following order:
Councilmember Black
Councilmember Johnson
Councilmember Osborn
Councilmember Smith
Councilmember Lyman
Mayor Bradford
6. Motion was made by Councilmember Osborn and seconded by Councilmember Lyman that the matter of the issuance of industrial revenue bonds as hereinbefore discussed be addressed further at a public hearing on the matter to be held in the San Juan High School Auditorium February 22, 1983 at 7:00 o'clock P.M.
7. The following letter was presented to the Council by Mr. Neldon E. Holt, Blanding Postmaster:

From: Neldon E. Holt
Postmaster
Blanding, Utah 84511

To: BLANDING CITY COUNCIL
BLANDING, UTAH 84511

Dear City Council:

This letter is to inform of the contract that has been awarded to SCARBROUGH CONSTRUCTION of Salt Lake City for the installing of the NBU's for our new city delivery service. The Contractor has until the 30th of April of this year to have all of them installed. At the present the contract calls for the installation of 106 units. Another contract has been awarded to last for one year's time, to install any additional needed.

The two enclosures are helps we give the customers to explain the program and to inform them of their new address and give a welcoming note to the new comers to our community. At the present time we have 1060 Post Office Boxes rented; 212 of these are rented to our Indian neighbors, who for the greater part of them will keep their boxes, because of living so far out of town; these people being out of the eligibility range for receiving mail thru this new service will not have their box rent increased. The new NBU program is free, and the difference in cost to the Postal Service between the house to house service and this NBU Program is \$86.00 to 43.00 per family per year.

May I close by adding a couple of my opinions and feeling concerning the progress of our community with respect to new business and selling beer; I commend your special interest in authorizing revenue bonds for growth. I'm sure that the respect that can be gained by those of you in business will help you to stay in business through more support to your business in purchases.

As to the beer issue, those who want to sell beer are to an extent setting two standards they live by, and I'm sure this will have a long lasting effect on the thinking and actions of our youth.

I am for progress of encouraging good business into our community and feel it or that business would help everyone in the final analysis.

Thank You!

Neldon E. Holt
Postmaster
Blanding, Utah 84511

8. Mr. Craig C. Halls, City Attorney, reviewed with the Council a draft of an agreement by and between the City of Blanding and the San Juan County Water Conservancy District relative to the City purchasing 500 acre feet of water from the said district.

Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the draft of agreement referred to above be approved for presentation to and consideration by San Juan County Water Conservancy District.

9. The Council discussed with Mr. Pete Black of Hurst Construction Company changing the bid contract on the Blanding fire station to utilize the MESCO metal building in lieu of a Cuckler metal building and reducing the height of said building from 20 feet to 18 feet at a savings of \$1,975.00.

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City approve the fire station construction changes as above discussed and that the contract relative to such matter be so modified.

10. Motion was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried that G. Alan Hawkins be granted an increase in salary of \$100 per month.

11. The City Attorney advised the Council that S & H Insurance Company has declared Albrecht Construction Company in default on the Blanding City Water Improvements, Phase I, Schedules I & II project.

Meeting adjourned at 11:50 A.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD FEBRUARY 9, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith Francis D. Nielson Karalee Austin Philip L. Palmer R. Dwight Laws Craig C. Halls Susan Shumway
Administrator:	
Deputy Recorder:	
City Engineer:	
Director of Public Works:	
City Attorney:	
SJ High School Rep:	

Also present were: Paul Foreman, Representative of the Blanding PTA; Jon Hunt, Scenic Aviation; Francis May; Hanson Bayles; Daniel Fleming; Ron Sharp; Everett Johnson; Melvin Laws; Lee Smith; Marylynn Smith; Finley Bayles.

1. Minutes of the City Council meetings held January 19 and 26 and February 1, 1983 were approved.
2. Everett Johnson and Ron Sharp presented to the Council their concern over the way the County Attorney handles cases. Comments were made by Melvin Laws and Craig Halls. Mayor Bradford agreed that there might be a problem and expressed a desire to continue discussion with Monticello and see about putting the item on an agenda for a meeting on law enforcement with the County Commissioners already scheduled.
Discussion will be had with Councilmember Lyman and then the City of Monticello will be contacted about a meeting.
3. Applicants for Water and Sewer Departments Supervisor were interviewed individually by the Council in the following order:
 1. Finley Bayles
 2. Hanson Bayles
 3. Daniel Fleming
 4. Francis May
 5. Lee Smith
4. Mr. Craig Halls, City Attorney, presented to the Council the agreement by and between Blanding City and the San Juan County Water Conservancy District and clarified several points in the agreement.
Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION 1983-10

A RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT WITH THE SAN JUAN
COUNTY WATER CONSERVANCY DISTRICT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the San Juan County Water Conservancy District wherein for the consideration of \$20,000 annually for a period of 40 years the City of Blanding will receive and eventually own 500 acre feet of water to be delivered annually as available, subject to agreement by the said Conservancy District discounting the \$7500 debt currently owed them by the City in lieu of installation of the required pumping facilities to be located at the Recapture Reservoir in behalf of the City; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of February, 1983.

ATTEST:

Cleal Z. Bradford
Mayor

Francis D. Nielson
Recorder

5. Councilmember Smith asked for clarification of whether the City was authorizing a second airport operator or just renting office space in the action taken in Item 3 of the minutes of January 26, 1983.

Mr. Jon L. Hunt asked the City to take action authorizing his firm, Scenic Aviation, as the sole fixed based operator at the Blanding Municipal Airport.

Following discussion by the Council, motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that a decision in the above matter be tabled until the regular meeting of the Council scheduled for February 23, 1983.

6. Following discussion by the Council with Mr. Paul Foreman, Representative of the Blanding Parent Teacher Association, relative to truancy problems in local schools, motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the Blanding Parent Teacher Association committee or group concerned with local school truancy problems be authorized to utilize City counsel in their studies and drafting of proposed ordinances and/or regulations necessary to legally coping with the existing situation.

7. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1983-7

A RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT WITH UTAH POWER AND LIGHT COMPANY-
SETTLEMENT TERMS FERC DOCKET NO. ER82-211

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement known as Settlement Agreement between Utah Power and Light Company, Sierra Pacific Power Company, Members of the Tri-State Intervention Group (of which Blanding City is a member), The City of Manti, and the Public Service Company of Nevada, establishing electric rates under RS-1, RS-2, RS-3 and RS-4 Utah Power and Light Company wholesale customer classifications, such agreement being relative to FERC Docket No. ER82-211; that a copy of said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of February, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

8. Motion for adoption of the following ordinance was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

CHAPTER 14-200. SEWERS.

PART 14-205. DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

14-205.1. "Biochemical oxygen demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter.

14-205.2. "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

14-205.3. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

14-205.4. "Combined sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.

14-205.5. "Easement" shall mean an acquired legal right for the specific use of land owned by others.

14-205.6. "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

14-205.7. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

14-205.8. "Industrial wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

14-205.9. "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

14-205.10. "May" is permissive (see "Shall", Section 14-205.18).

14-205.11. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

14-205.12. "pH" shall mean the logarithm of the reciprocal of the hydrogenions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and hydrogenion concentration of 10^{-7} .

14-205.13. "Properly shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than $\frac{1}{2}$ inch (1.27 centimeters) in any dimension.

14-205.14. "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.

14-205.15. "Sanitary sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

14-205.16. "Sewage" is the spent water of a community. The preferred term is "wastewater", 14-205.25.

14-205.17. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

14-205.18. "Shall" is mandatory (See "May", 14-205.10).

14-205.19. "Sludge" shall mean any discharge of water or wastewater which is concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

14-205.20. "Storm drain" (sometimes termed "Storm sewer") shall mean a drain or sewer for conveying rain, ground water, subsurface water, or unpolluted water from any source.

14-205.21. "Superintendent" shall mean the superintendent of wastewater facilities of the City of Blanding or his authorized deputy, agent, or representative.

14-205.22. "Suspended solids" shall mean total suspended matter that either floats on the surface of or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

14-205.23. "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

14-205.24. "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

14-205.25. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

14-205.26. "Wastewater treatment works" shall mean an arrangement of devices and structures for treating wastewater, industrial waste, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

14-205.27. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

14-205.28. "Hearing board" shall mean that board appointed according to provisions of 14-241.

14-211. SEWER DEPARTMENT AND SYSTEM. The sewer department is hereby created. It shall comprise all of the property, equipment and personnel necessary to the maintenance and operation of the municipality's sewage collection and disposal system. The department shall administer the operation and maintenance of the municipal sewer system.

14-212. SUPERINTENDENT OF THE SEWER DEPARTMENT. There is hereby created the position of superintendent of the sewer department.

14-213. DUTIES OF THE SUPERINTENDENT. The superintendent of the sewer department shall manage and supervise the municipality's sewer system under the direction of the City Administrator and from time to time shall by resolution or otherwise prescribe his powers and duties and direct the manner and frequency with which he shall make reports to the mayor relating to the sewer system.

14-214. APPLICATION FOR SEWER SERVICE. Any person who desires or is required to secure sewer service when such service is available from the municipal sewer systems shall apply therefor to the recorder/clerk and file an agreement with the municipality which shall be in substantially the below-stated form:

APPLICATION FOR SEWER SERVICE

(Date)

TO THE MUNICIPALITY OF _____.

The undersigned hereby applies for sewer services from the municipality for premises located at _____ and hereby agrees to pay charges for such sewer services as shall be fixed by the governing body of the municipality by resolution or ordinance until such time as I shall direct such service to be discontinued.

In the event of a failure to pay for this service within the due dates fixed by the governing body or of a failure of the occupant of the premises to conform to the ordinances and regulations established by the governing body relating to the use of the sewer system, the municipality shall have the right to discontinue my water service from the municipal water system until all delinquencies and any reconnection fees imposed are paid in full or until any failure to conform to the sewer ordinances or regulations issued hereunder is eliminated.

Additionally, I agree that the municipality shall have the right to institute collection proceedings by all means available to it, including suit in a court of proper jurisdiction. The applicant agrees to pay all costs of collection including court costs and attorney fees.

The undersigned agrees to be bound by the rules, regulations, resolutions or ordinances enacted or adopted by the governing body of the municipality applicable to the municipality's sewer system.

(signed)

14-215. NONOWNER APPLICANTS - AGREEMENT BY OWNER. Applications for sewer services made by the tenant or an owner must be in addition to the above requirement be guaranteed by an agreement signed by the owner of the premises or his duly authorized agent to the following effect:

In consideration of the acceptance of the application for sewer services submitted by (any present or future tenant) _____, I, or we, will pay for all sewer services furnished to such tenant, or other occupant of _____ (premises), in case such tenant or occupant shall fail to pay for the same according to the ordinances, resolutions, rules or regulations of the municipality.

(Owner)

14-216. WASTEWATER TREATMENT CHARGE.

14-216.1. PURPOSE. The purpose shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater collection system. The costs shall be distributed to all users of the wastewater system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and SS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user (or user class).

14-216.2. DETERMINING THE TOTAL ANNUAL COST OF OPERATION AND MAINTENANCE. The Blanding City Council shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the collection system, for which such system was designed and constructed. The total annual cost of operation and maintenance shall include but need not be limited to labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund.

14-216.3. DETERMINING EACH USER'S WASTEWATER CONTRIBUTION PERCENTAGE. The City of Blanding shall determine the average monthly sewer use for each connection based on the six month water use from October through March of each fiscal year.

The City of Blanding shall determine each sewage strength of Biochemical Oxygen Demand and Suspended Solids for those users who discharge sewage of greater strength than residential strength.

14-216.4. USER CHARGE RATES. The rates specified herein will become effective on the date the Blanding City Wastewater Treatment Facilities commence operation and may be changed from time to time by appropriate resolution of the Blanding City Council.

Residential users are considered to be one class of users and are assessed a charge of \$6.00 per month plus a charge of -0- per 1,000 gallons of water used per winter month (October through March).

Multiple Dwelling Units, including motels, are to be considered one class of users and are assessed a charge of \$6.00 per month per unit plus a charge of \$0.60 per 1,000 gallons of water over 10,000 gallons used per winter month (October through March).

Commercial and Industrial users with BOD and SS no greater than the average residential user's strength of 200 mg/l BOD and 215 mg/l SS will pay a charge of \$6.00 plus a charge of \$0.60 per 1,000 gallons of water used per winter month (October through March) over 10,000 gallons.

Any non-residential user with BOD and SS greater than the average residential user's strength of 200 MG/l BOD and 215 mg/l SS will pay a rate of \$1.037 per pound of BOD loading plus \$0.017 per pound of SS loading.

Schools will pay \$0.10 per student per month for month of operation.

Churches will pay a charge of \$6.00 per month plus a charge of \$0.60 per 1,000 gallons over 10,000 gallons of water used per winter month (October through March).

14-216.5. REVIEW OF EACH USER'S WASTEWATER SERVICE CHARGE. The City Council shall review the total annual cost of operation and maintenance including the City's yearly contribution and will revise the service charges as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works.

14.216.6. NOTIFICATION. Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

14-219. DELINQUENCY - DISCONTINUANCE OF SERVICE.

- A. The sewer department, or such other person as the governing body may designate, shall furnish to each user or mail or leave at his place of residence or usual place of business, a written or printed statement stating the sewer service charges assessed against him once each month or at such other regular intervals as the governing body shall direct. The statement shall specify the amount of the bill, place of payment, and the date due.
- B. If any person fails to pay his sewer charges within 30 days of the date due, the recorder/clerk or the sewer superintendent shall give the customer notice in writing of the intent to discontinue the service of water to the premises unless the customer pays the bill in full within five days from date of notice.
- C. If the water service is thereafter discontinued for failure to make payment of the sewer service charges, before the water service to the premises shall again be provided, all delinquent sewer charges must have been paid to the municipal treasurer or arrangements made for their payment that are satisfactory to the municipality.
- D. In the event water is turned off for nonpayment of sewer charges, before the water service to the premises shall again be provided, the customer shall pay, in addition to all delinquent charges, such extra charge for turning the water on and off as the governing body may have established by resolution or ordinance.
- E. If any person fails to pay his sewer charges within 30 days of the due date, the recorder/clerk or the sewer supervisor is hereby authorized to take all action necessary to enforce collection including but not limited to the commencement of legal proceedings in a court of proper jurisdiction seeking judgment for the amount of the delinquent fees and service charges and all costs of collection including court costs and attorney's fees.

14-220. USE OF PUBLIC SEWERS REQUIRED.

14-220.1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Blanding or in any area under the jurisdiction of said city, any human or animal excrement, garbage, or other objectionable waste.

14-220.2. It shall be unlawful to discharge to any natural outlet within the City of Blanding or in any area under the jurisdiction of said city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

14-220.3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cess-pool, or other facility intended or used for the disposal of wastewater.

14-220.4. The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the City and abutting on any street, alley, or right-of-way in which there is now located a public sanitary sewer of the City are hereby required at owner's expense to install suitable toilet facilities therein and to connect such facilities directly with the proper sewer in accordance with the provisions of this ordinance, within sixty (60) days after date of official notice to do so provided that said public sewer is within five hundred (500) feet of the property line.

14-222. SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS.

14-222.1. No unauthorized persons shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

14-222.2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee of \$25.00 for a residential or commercial building sewer permit and \$50.00 for an industrial building sewer permit shall be paid to the City at the time the application is filed.

14-222.3. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owners. The owners shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

14-222.4. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

14-222.5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this ordinance.

14-222.6. The size, slope, alignment, materials of construction of all sanitary sewer including building sewers and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and the State of Utah. In the absence of suitable code provisions or in amplification thereof, the materials procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

14-222.7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In any buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

14-222.8. No person(s) shall make connection of roof down-spouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the superintendent for purposes of disposal of polluted surface drainage.

14-222.9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

14-222.10. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the superintendent or his representative.

14-222.11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

14-224. REVOCATION OF PERMITS. All construction permits for sewer connections or installations shall be issued to the plumber who is to do the work or to the owner of the property, subject to the supervision and inspection by the superintendent or his agents. The recorder/clerk or superintendent may at any time revoke a permit because of defective work or because of undue delay in completing the permitted work.

14-227. POWERS AND AUTHORITY OF INSPECTORS.

14-227.1. The superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

14-227.2. The superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

14-227.3. While performing the necessary work on private properties referred to in 14-227.1 above, the superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees, and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damages asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 14-230.8.

14-227.4. The superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

14-230. USE OF THE PUBLIC SEWERS.

14-230.1. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the superintendent.

14-230.2. Stormwater other than that exempted under 14-230.1 and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the superintendent and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the superintendent, to a storm sewer or natural outlet.

14-230.3. No person(s) shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- B. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes to contaminate the sludge of any municipal systems, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving water of the wastewater treatment plant.
- C. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

14-230.4. The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The

superintendent may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the superintendent will give his consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

- A. Wastewater having a temperature higher than 150° Fahrenheit (65°C).
- B. Wastewater containing more than 25 milligrams per liter of petroleum oil, or product of mineral oil origin.
- C. Wastewater from industrial plants containing floatable oils, fat, or grease.
- D. Any garbage that has not been properly shredded (See 14-205.13). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- E. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the superintendent for such materials.
- F. Any waters or wastes containing odor-producing substances which may exceed limits established by the superintendent.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- H. Quantities of flow, concentrations, or both which constitute a "sludge" as defined herein.
- I. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- J. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids that interfere with the collection system, or create a condition deleterious to structures and treatment processes.

14-230.5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which water contains the substances or possess the characteristics enumerated in 14-230.4, and which in the judgment of the superintendent, may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

- A. Reject the wastes.
- B. Require pretreatment to an acceptable condition for discharge to the public sewers.
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provision of 14-243.

When considering the above alternatives, the superintendent shall give consideration to the economic impact of each alternative on the discharger. If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent.

14-230.6. Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in 14-230.4(C), or any flammable wastes, sand, or other harmful ingredients; except interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates, and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently license waste disposal firms.

14-230-7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

14-230.8. When required by the superintendent, the owner(s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structures when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the superintendent. The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

14-230.9. The superintendent may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- A. Wastewaters discharge peak rate and volume over a specified time period.
- B. Chemical analysis of wastewaters.
- C. Information on raw materials, processes, and products affecting wastewater volume and quality.
- D. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- E. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
- F. Details of wastewater pretreatment facilities.
- G. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

14-230.10. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the superintendent.

14-230.11. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment.

14-233. OWNERSHIP OF CONNECTING LINES. Unless provision is expressly made for ownership of mains or lines by the owner of the adjacent property by means of written agreement, all lines and mains connecting the sewer system to a land owner or resident's premises which are situated on the public way between the main and the property line shall be deemed to be the property of the municipality and subject to its absolute control and supervision even though actual installation may have been performed by the owner or resident of the premises.

14-240. PRIVATE WASTEWATER DISPOSAL.

14-240.1. Where a public sanitary or combined sewer is not available under the provisions of 14-220.4, a building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

14-240.2. Before commencement of construction of a private wastewater disposal system, the owners shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the superintendent. A permit and inspection fee of \$25.00 shall be paid to the City at the time the application is filed.

14-240.3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. The superintendent shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the superintendent, when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the superintendent.

14-240.4. The type, capacities, location and layout of a private wastewater disposal systems shall comply with all recommendations of the Department of Health of the State of Utah. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 25,000 square feet. No septic tank or cesspool shall

be permitted to discharge to any natural outlet.

14-240.5. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in 14-240.4, a direct connection shall be made to the public sewer within sixty (60) days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

14-240.6. The owners shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City. Sludge shall be removed by a licensed operator and disposed of as required by the Utah State Division of Health and City ordinances.

14-240.7. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the health officer.

14-241. HEARING BOARD.

14-241.1. A Hearing Board shall be appointed as needed for arbitration of differences between the superintendent and sewer users on matters concerning interpretation and execution of the provisions of this ordinance by the superintendent. The cost of the arbitration will be divided equally between the municipality and the sewer user.

14-241.2. One member of the Board shall be a Registered Professional Engineer; one member shall be a health official; one member shall be a representative of industry or manufacturing enterprise; one member shall be a lawyer; and one member shall be selected at large for his interest in accomplishing the objectives of this ordinance.

14-242. PENALTIES.

14-242.1. Any person found to be violating any provision of this ordinance, including 10-225, except 14-227, shall be served by the City with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

14-242.2. Any person who shall continue any violation beyond the time limit provided for in 14-242.1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding (\$299,00) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

14-242.3. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

14-242.4. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

14-243. VALIDITY.

14-243.1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

14-243.2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

14-244. ORDINANCE IN FORCE.

14-244.1. This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

9. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1983-8

A RESOLUTION ESTABLISHING
SEWER USER CHARGE RATES

BE IT RESOLVED by the City Council of the City of Blanding, Utah that User Charge Rates required under Chapter 14-200, Part 14-216.4 of the Revised Ordinances of the City of Blanding, Utah shall be as follows:

14-216.4 USER CHARGE RATES. The rates specified herein will become effective on the date the Blanding City Wastewater Treatment Facilities commence operation and may be changed from time to time by appropriate resolution of the Blanding City Council.

Residential users are considered to be one class of users and are assessed a charge of \$6.00 per month.

Multiple Dwelling Units, including motels, are to be considered one class of users and are assessed a charge of \$6.00 per month per unit plus a charge of \$0.60 per 1,000 gallons of water used over 10,000 gallons per winter month (October through March).

Commercial and Industrial users with BOD and SS no greater than the average residential user's strength of 200 mg/l BOD and 215 mg/l SS will pay a charge of \$6.00 plus a charge of \$0.60 per 1,000 gallons of water used over 10,000 gallons per month.

Any nonresidential user with BOD and SS greater than the average residential user's strength of 200 mg/l BOD and 215 mg/l SS will pay a rate of \$1.037 per pound of BOD loading plus \$0.017 per pound of SS loading.

Schools will pay \$0.10 per student per month for month of operation.

Churches will pay a charge of \$6.00 per month plus a charge of \$0.60 per 1,000 gallons over 10,000 gallons of water used per winter month (October through March).

PASSED, ADOPTED and APPROVED this 9th day of February, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson

10. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1983-9

A RESOLUTION AUTHORIZING EXECUTION OF AN
AMENDMENT TO A DESIGN ENGINEERING AGREEMENT
RELATIVE TO PROJECT NO. C490201-04

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and Horrocks Engineers, Inc. amending agreements dated July 23, 1980, December 1, 1980 and August 3, 1981 relative to design engineering fees on Project No. C490201-04; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of February, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Dec. 5th

He will be out of town
on Dec. 8, so we cannot
attend the meeting, but
we don't want our block
commercialized.

Thank You.
Ivan & Fern Watkins

12-8-82

Blanding City Council.
Blanding Zoning Comm.
Phillip Palmer.

This is to express
my opposition to the
proposed changes in
the zoning of my property
on 2nd North 260 East.
I want to keep a
Residential zone here.

Sincerely
Leo H Bradford
Jessie Mae Bradford

S T A F F MEETING 12-6-82

Present*

Dwight Laws
Philip Palmer
Gerald Black

Today I (Dwight) met with Gerald and ask Philip to join in. I explained to Gerald that there some serious concerns related to his performance and also to the operation of the treatment plant. He was wold that his position was tenuous. Specifically the following problems were mentioned:

- 1-Excess driving around town.
- 2-Lack of pride in the operation of the treatment plant.
- 3-Excess amount of time off the job.

The following remedies and assignments were made and agreed upon:

- 1-Gerald would be assigned on a full time basis to the treatment plant. He would report there after each morning meeting in the city offices. He would be found there at any time during the day except as assigned elsewhere.
- 2-He would assist me and Philip to draft up a list of things that need to be done relative to the plant and then would be monitored on a regular basis to see that they have been completed.
- 3-He would take pride in his work and keep the plant in top shape, both visibly and operationally.

Geralds job discription would then have the following priorities:

- 1-Water treatment plant and associated needs, such as the source lines and storage areas, but not including anything south of the storage tank.
- 2-Anything south of the storage tank, such as valve repair, finding water lines, replace water meters, and other as requested by Bud, Philip or Dwight.

He was advised that because he will be expected to be at the plant at all times, except as noted, that he will not need a vehicle as much as some other. Therefore, on occasions of breakdown or specific need, the blue chev pickup made be used by others.

I informed Gerald that I will be maintaining a file (of which this is a part) for the purposes of showing the City Council our progress over the next year.

Gerald seemed to accept the discussion well and added the following comments:

- 1-The state may be moving to a requirement of certified operators and he would like to get certified and avail of any training that may be helpful
- 2-Others may not feel that his job should be part-time. I told him I would deal with that.
- 3-He appreciated knowing what is expected. In the past he has started at the plant and then not really been sure where to go from there.

There is some nervousness on my part, shared by Philip, that the plant was designed to run smoothly and not be opening and closing every hour. This suggests that we are not really competent in operation of the instruments. It is probably a good idea for us to get some professional maintenance on the instruments as well as operational training update.

Dwight

11. The Administrator reminded the Council of the public hearing relative to use of Community Development Grant Funds schedule for February 11, 1983 at 7:00 o'clock p.m.

12. Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City advertise for bid proposals for furnishing a patrol car (police package) to the City of Blanding for use by the police department; bid proposals to be opened at the regular meeting of the Council on March 9, 1983.

13. The City Engineer discussed with the Council sewer connection fees to be assessed in the proposed addition to the San Juan Nursing Home; that such fees will be \$450 per bathroom included in such addition.

14. Councilmember Lyman requested information relative to home occupations allowed in residential R-1 zones. The engineer will provide the requested information.

15. Councilmember Osborn advised the Council that planning for Natural Bridges National Monument 75th anniversary program is proceeding in accordance with the assignment given to the Advertizing and Economic Committee.

16. Copies of the following letter were presented to the Council by Mayor Bradford:

SAN JUAN COUNTY
Monticello, Utah 84535

February 1, 1983
Blanding City
Blanding, Utah

ATT: Mayor Cleal Bradford

Dear Cleal,

In reviewing our joint road program for 1982 and planning for 1983 we would like to have you furnish us with some information on your curb and gutter program. As you will recall in an effort to help you and encourage the installation of curb, gutter and sidewalks in the cities the county raised their road participation percentage from 50% to 70%. Please furnish the following information so that we can evaluate this program:

Linear feet of curb and gutter poured in 1982.

Linear feet of sidewalk poured in 1982.

Linear feet of each planned to be poured in 1983.

Please advise us as to what program you have and what policies you have established as far as participation or cooperation with the Property owners. Thank you for your cooperation, this will be a help to us.
Sincerely,

Kenneth R. Bailey Road Commissioner

Mayor requested the Councilmembers give consideration to work accomplished under the City curb, gutter and sidewalk program and that the information requested by Mr. Bailey be furnished by the engineer.

17. Mayor Bradford reported to the Council a discussion with San Juan County Commissioner Kenneth Bailey relative to title to Lot 3, Block 25, Blanding Townsite Survey, Plat A, the property on which the City Shop is located. Mr. Bailey agreed that if the City would prepare a deed transferring the property from San Juan County, he will see that the same is properly executed.

18. Following discussion of the qualifications indicated by the applicants relative to the position of Water and Sewer Departments Supervisor from interviews as referenced in Item 3 above, a system of evaluation of the applicants awarded points as follows:

Finley Bayles	270
Hanson Bayles	270
Daniel Fleming	310
Francis May	300
Lee Smith	190

The Council agreed that Mr. Daniel Fleming should be given the position of Water and Sewer Departments Supervisor at a beginning salary of \$1250 per month.

Meeting adjourned at 11:00 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A SPECIAL MEETING OF THE
BLANDING CITY COUNCIL
HELD FEBRUARY 11, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Francis M. Lyman J. Carl Osborn Don E. Smith
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Absent was Councilmember: Clea S. Johnson

Also present was: Mrs. Gwen Smith

1. Mayor Bradford advised that the purpose of the meeting was to obtain the views and proposals of citizens with regard to determination of priorities in community development and housing needs relative to the Small Cities Community Development Block Grant Program.

Mrs. Gwen Smith stated that Community Development Block Grant funds which may be obtained by the City of Blanding could best be used to the benefit of all citizens in water development.

There being no further public comments relative to the purpose of the meeting, motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City submit applications to the Utah State Department of Economic Development for Community Development Block Grant Funds as follows:

Starvation Reservoir	\$60,000
Building Renovation (Elimination of blight)	\$31,000

Meeting adjourned at 7:22 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A PUBLIC HEARING
CONDUCTED BY BLANDING CITY COUNCIL
AT SAN JUAN HIGH SCHOOL AUDITORIUM
AT 7:00 O'CLOCK P.M. FEBRUARY 22, 1983

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Attorney:	Craig C. Halls
V.P., George K. Baum & Co.:	Dennis F. Jones

and 170 citizens.

1. Mayor Bradford called the hearing to order and asked Councilmember Lyman to state the intended purpose of industrial revenue bonds.

2. The proposed issuance of industrial revenue bonds in behalf of Safeway Stores, Inc. for construction of a grocery store building was debated by the following individuals:

Speaking for:	Dennis F. Jones Steve Palmer Stan Byrd Russ Stevenson Dan Webb Glenna Webb Lynnette Adams
Speaking against:	Gordon Redd Grace Hunt Bob Johnson William B. Redd Curtis Jones Lynda Shumway

3. Mayor Bradford read the following letter:

Blanding, Utah
February 15, 1983

Honorable Mayor and Council
City of Blanding
Blanding, Utah 84511

Dear Sirs:

You are presently confronted with a decision with regard to the approval or disapproval of Industrial Revenue Bonds for a Safeway store to be established in Blanding. This issue has generated a major controversy in the Community with some believing it will enhance business and jobs and others of the opinion that it will destroy already established local business. It appears that a majority of the business community is opposed and a majority of the non-business community is supportive.

Another controversial issue that has long existed in Blanding is the question of allowing beer to be sold. The majority of the local business community is in favor, while it appears the majority of the non-business community is opposed. Apparently the Council has decided to place this issue on the ballot this year. The reasons most often cited for prohibiting legal sale of beer in Blanding are the social, religious, and health questions associated with alcohol use and/or abuse. These same issues are also relevant to the use of tobacco products, coffee, tea and other caffeinated beverages such as many soft drinks, chocolate and cocoa products. Homemade root beer also has up to $\frac{1}{2}\%$ alcohol and so should also be suspect, not to mention virtually all kinds of mouth wash, hair spray, glue, cough remedies and cough medicines, and vanilla and other extracts.

The Council should make their decisions on these issues based on factual data and logical conclusions based thereon with due consideration for the legal rights of all people regardless of race, religion, or national origin.

If issues such as the above should be decided by popular vote, then perhaps they all ought to be put on the ballot. If this is to be done, perhaps the following format should be used.

1. Should Industrial Revenue Bonds be approved for Safeway to build a store in Blanding? yes no
2. Should beer be sold in Blanding? yes no
3. Should tobacco products be sold in Blanding? yes no
4. Should any product containing alcohol or any other substance which is harmful to the body and known to be abused be sold in Blanding?
yes no

Respectfully submitted,

Phil Acton
Cal Black

Meeting adjourned at 9:20 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD FEBRUARY 23, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls

Also present were: Grace Hunt; Steve Bronson; Kedric Redd; Effie Brockmeier; Forrest Crofts; Gordon Redd; Margaret Redd; Rex Nielson; Harold Lyman; Alan Haun; Jim Shumway; Lynda Shumway; William B. Redd; Calvin Blake; Vance Seely; Judy Seely; Marsha Keele; Lee Smith; Marylynn Smith; Jan Brown; Connie Willis; Gene Johnson; Sandra Johnson; Leona Bailey; John Black; Stanley Byrd; Russell Stevenson; Billy Osborn; Bradley Palmer; Duane Lyman; Jon Hunt.

1. Prayer was offered by Councilmember Smith.
2. Minutes of City Council meetings February 9 and 11, 1983 were approved.
3. The Mayor and members of the Council expressed their feelings and positions relative to authorization of the issuance of industrial revenue bonds for use by Safeway Stores, Inc. in a construction of a grocery store to be located on the W $\frac{1}{2}$ of Block 14, Blanding Townsite Survey, Plat A.

Motion was made by Councilmember Black and seconded by Councilmember Smith that Resolution No. 1983-4 be rescinded.

Voting on the motion being as follows:

Those voting "Aye": Councilmember Black
Councilmember Johnson
Councilmember Smith

Those voting "Nay": Councilmember Lyman
Councilmember Osborn

Whereupon Mayor Bradford declared the motion carried and Resolution No. 1983-4 duly rescinded.

4. Mr. Jim Shumway expressed to the Council and those present appreciation for the efforts of the governing body of the City and suggested that a cooperation and united front should be the desire of all citizens in City development and growth.

The Council agreed to recess for a 10 minute period.

5. Following discussion of the proposed renting of office space to Lee's Flying Service at the Blanding Airport Terminal Building, motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the action represented by Item No. 3 of the minutes of January 26, 1983, relative to renting office space at the Blanding Municipal Airport Terminal Building to Lee's Flying Service, be rescinded; and that further action on such matter be delayed pending discussion of an agreement with San Juan County wherein the City may become sole proprietor at the Blanding Airport inclusive of landlord status in the renting of hangar space as well as conducting of all airport business.

6. The Director of Public Works reported the following:
 - A. A technician has been retained for calibrating and repairing instrumentation at the Water Treatment Plant to begin during the ensuing week.
 - B. John R. Seely, streets superintendent, utilizing a San Juan County crawler tractor, is continuing to excavate the refuse collected along the canyon wall at the City dump to facilitate further use of the area as a dump site. It is estimated that the job will be completed during the ensuing week.
 - C. Efforts are continuing in the dog control program. Approximately 35 dogs have been delivered to the pound since September 1, 1982.

7. The following letter was read in full to the Council by the City Engineer:

Box 635
Blanding, Utah 84511
February 10, 1983

City of Blanding

To Whom It Concerns:

It has been suggested that we (Jerry & Lynnette Adams) submit a letter to the city indicating that we willingly give thirty feet easment along the east side of our property for the purpose of a roadway. This easment would begin east of Mike & Shan Redd's home and continue south for approximately 327 feet to the land controlled by the Palmer family.

The other thirty feet for the easment will have to be negotiated with Jerry Holliday. Nevertheless, we willingly give to the city of Blanding our part for a roadway. We feel the necessity of a roadway as well as feel that the city would improve by such a roadway. We feel also that the city should act upon this situation and begin early to push a roadway completely through to the residence of Glen Skinner.

Respectfully yours,

Jerry & Lynnette Adams

Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the matter represented by the foregoing letter be referred to the Planning Commission for consideration and recommendation relative to the proposed City master street plan.

8. The Engineer reported that the Utah State Department of Health has approved the installation of chemical feeders at the water treatment plant in accordance with his recommended design.

9. The administrator advised the Council that applications for Community Development Block Grant Funds for funding assessments in the construction of the proposed Starvation Reservoir and the renovation of the rock masonry building at 38 West 1st South Street, have been approved by the Southeastern Utah Association of Local Governments, subject only to San Juan County submitting an application for use of available funds in either health related programs or in cooperation with other adjacent counties in establishing a ferry system at Lake Powell.

10. Councilmember Johnson advised the Council that Governor Matheson will be in the community on April 11, 1983 in connection with the dedication of the Juvenile Detention Center and he desires to meet with and hear problems and proposals of local citizens relative to state government.

11. Councilmember Osborn advised the Council that Mr. Dale Carpenter, Director, Utah State Department of Community Affairs, reported that progress is being made in the cooperative efforts of Utah counties adjoining Lake Powell relative to development of a ferry system on the lake.

12. Councilmember Black reported on the need for curb, gutter and sidewalk maintenance in various areas of Main Street. The Council agreed that this matter should be given consideration by the Street and Sidewalks Task Committee relative to establishing priority of need.

13. Councilmember Black suggested that responsible entities be advised of highway maintenance needs in the area of 1st East and Center Street and at 3rd South and Main Street.

14. The Mayor discussed with the Council a sales tax study which showed considerably larger per capita grocery purchases in Monticello than in Blanding, indicating that Blanding residents are shopping in other areas.

15. The Mayor and Council discussed Industrial Revenue Bonds as they apply to future City development.

The following statements are indicative of the individual members philosophy relative to use of Industrial Revenue Bonds:

- A. Councilmember Black declined to offer an official statement.
- B. Councilmember Johnson. I am not against the use of Industrial Revenue Bonds as means of financing development within the City. Each case must be assessed on its own merits and type of business.
- C. Councilmember Lyman. I am basically in favor of using Industrial Revenue Bonds as a means of financing development within the City subject only to such developments not being of a detrimental nature.
- D. Councilmember Osborn. I am in favor of utilizing Industrial Revenue Bonds for all municipal development purposes for which the law intended they be used. Discretion must be used and all cases considered on their own merits.
- E. Councilmember Smith. I am not opposed to the use of Industrial Revenue Bonds for financing development of industry or commercial enterprise which would create additional employment and provide services not currently available in the community.

16. Mr. Craig C. Halls, City Attorney, discussed with the Council the proposed agreement by and between the City of Blanding and the San Juan County Water Conservancy District wherein the City would purchase from the District 500 acre feet of water annually. The Council agreed that in lieu of installation of the required pump at the Recapture Reservoir, the City may forego repayment of the \$7500 loan obtained from the District in 1977; that the District be reminded of considerable expenditure of funds in water improvement projects on the Abajo Mountains which are beneficial not only to the City but to the District as well for which the District has made no financial contribution.

17. The following letter was read in full to the Council by Mayor Bradford:

STATE OF UTAH
NATURAL RESOURCES & ENERGY
State Lands & Forestry
3100 State Office Building
Salt Lake City, UT 84114

February 7, 1983

Dear Sir;

Federal funds have been made available for the Rural Community Fire Protection Program. This program provides rural communities with 50% matching money to organize, train and equip their fire departments to improve fire protection in the less populated areas of the State.

The following criteria must be met to be eligible:

- 1) The community must not exceed a population of 10,000 (1980 census). If a fire department serves two or more communities, the aggregate population may exceed 10,000, but the individual communities may not exceed 10,000.
- 2) The applicants (community, district or county) must have the matching dollars to cover 50% of the cost of the requested items. Funds from all sources are eligible for matching purposes.
- 3) Assistance under their program is to organize, train and equip fire department for suppression of fire. Personal safety equipment (i.e. air packs, helmets, coats, etc.) are eligible; however, items for community safety (i.e. ambulance, paramedic training, etc.) are ineligible.

The Division of State Lands and Forestry has been designated as the administrative agency. The enclosed application should be returned to the State Office by March 15, 1983. Applications received after this date will not be considered.

-4-

The application will be rated based on eligibility and need. Successful applicants will be notified for further action. Funds are limited, however, we encourage all to apply because your application will show future need. Additional funding may become available should other states be unable to fully utilize money allotted them.

If you have questions or need assistance, please contact your local Area Forester. There names and addresses are enclosed.

Sincerely,

RALPH A. MILES
DIRECTOR/STATE FORESTER

RAM/hy
enclosure

18. Mayor Bradford stated that the Safeway Stores, Inc. Industrial Revenue Bond Request issue had resulted in the citizens of the community utilizing the constitutional process available under a free government and had been a valuable exercise regardless of the outcome of the issue. The decision reached through such process should now be supported.

Meeting adjourned at 10:03 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD MARCH 9, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman Don E. Smith
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls

Absent was Councilmember: J. Carl Osborn

Also present were: Vanessa Bradbury, Vice President Canyonlands 21st Century Corporation; Kay Jenkins; Lisa Rarick; Nick Sandberg; Bob Turri; Ed Scherick, Area Manager, San Juan Resource Area, Bureau of Land Management; Lewis Black; Marsha Keele; Harold Lyman, Chairman of the City Economic Development Task Committee; Jan Brown; Connie Willis.

1. Prayer was offered by Councilmember Johnson.
2. Minutes of City Council meeting February 23, 1983 were approved.
3. Mr. Lewis Black of E.A. Black Plumbing & Heating, reported to the Council his telephone conversations with Mr. Michael R. Vowles of S & H Insurance Co. relative to suggesting that local contractors have capability to complete the Water Improvements Program, Phase I, Schedules I & II should the project contractor be held in default.
4. Ms. Vanessa Bradbury, Vice President Canyonlands 21st Century Corporation, gave a corporation status report to the Council indicating a slow down in production necessitated by negative market conditions, which has resulted in the layoff of five men who will be rehired in approximately 60 days. The corporation is presently negotiating with the Small Business Association in an effort to refinance their operating loan allowing them to make smaller monthly loan payments. They are also negotiating with various entities for the sale of a portion of the company in an effort to provide working capital. It appears that the Chapter 11 status of the corporation will be maintained by the bankruptcy court.
5. Mr. Edward Scherick, Area Manager, San Juan Resource Area, Bureau of Land Management, discussed with the Council activities of the area office including land use planning, minerals management, geophysical activities, recreational control and fees, grazing fees and the big horn sheep study.
6. Following a request by Ms. Jan Brown in behalf of the Girl Scouts of America, to utilize Reservoir Road and various city streets on which to conduct a marathon run inclusive of placing a banner at a selected site, motion was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried that the City permit the Girl Scouts of America to utilize Reservoir Road, 3rd West Street, 700 North Street, 2nd West Street and 3rd North Street as well as a selected site on which to locate a banner, all relative to a Girl Scout Marathon Run to be held May 7, 1983, in accordance with a route map on file in the City Office; that the City Police Department cooperate in providing control as required for safety purposes during the activities.
7. Mr. Dayne Shumway discussed with the Council the concerns of residents and business operators living and operating in Blocks 13, 19, 20, 21, 29, & 30 relative to utilization of the area by transients in the conduct of illicit activities, primarily consumption of alcohol and ingesting controlled substances, resulting in the creation of a hazardous condition for property owners, occupants and the citizens generally. The Council concluded that the matter should be studied and discussed further and requested that the Justice of the Peace and the Chief of Police attend the next meeting of the Council relative to the matter.

8. Mr. Harold J. Lyman, Chairman of the City Economic Development Task Committee reported their programs and proposals as follows:
- A. Obtained advertizing and promotion supplies.
 - B. Sponsored workshops for small businesses.
 - C. Worked on Economic Development Master Plan which will include the following:
 1. Supporting expansion of the San Juan Center.
 2. Development of an Archeaological Resource Center.
 3. Development of recreational facilities in connection with the Recapture Dam.
 4. Establishment of a cultural center.
 5. Support and encourage existing businesses and attract new business.
 6. Development of Industrial Park on property adjacent to the airport.
 7. Promote bus tours, scenic flights, and general area tours.
 8. Advocate the use of Industrial Revenue Bonds in commercial development.

Mr. Lyman also discussed with the Council the relationship between the tourist industry and the availability of alcoholic beverages in the community.

9. Councilmember Smith reported to the Council that natural gas may be available in the area in quantity sufficient to warrant consideration of piping the community for natural gas service and possibly utilizing such available energy in generation of electricity.

10. The Director of Public Works reported the following:
- A. The City crew is continuing with the street maintainance programs, currently involving pouring hot oil into cracks on the bituminously surfaced streets. Council suggested that those areas where there is considerable pedestrian and vehicle traffic be sanded to prevent carrying the fresh oil into residences and places of business.
 - B. The water treatment plant operator is currently effecting the changeover of the chemical feeders from dry powder to soluable feed.
 - C. Inspection of the airport terminal building indicating roof leakage, which has resulted in a sag in the ceiling and the floor tile coming loose. Also, two of the solor heat unit cylinders are leaking and have rusted and additional painting will be required prior to acceptance of the building.
 - D. Water from the airport well is apparently contaminated and samples have been sent to the Utah Department of Health for analysis. It may be that a new water well will have to be drilled or possibly the City may need to consider running a pipe line to deliver city water to the airport.
11. City Engineer reported the following:
- A. Necessary paper work is continuing on the sewer treatment facilities project and construction start is unknown at this time.
 - B. Horrocks Engineers, Inc., consultants on the City Water Improvements, Phase I, Projects, have reported that the contractor on Schedules I & II have apparently gone out of business and the City should probably anticipate that the bonding company on the projects will be required to complete them.
 - C. Water valves necessary for shut down of the system in connection with the installation of the pressure control system have been located and E.A. Black Plumbing and Heating will commence the PCV installation in the near future.

12. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1983-11

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain contract by and between the City of Blanding and Hurst Construction Company relative to the construction of a fire station; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED, and APPROVED this 9th day of March, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Karalee Austin
Deputy Recorder

13. The following letter was read in full to the Council by the Mayor:

March 8, 1983

To the Mayor and City Council;

The Blanding City Street, Sidewalk, Curb and Gutter Task Force reaffirms its priorities for this year's sidewalk construction. The priorities are as follows:

1. Construct the radius at the Lyman Redd residence; a city crew could be used for this purpose because of unexpected problems.
2. Begin construcion of sidewalks on the 100 South and 100 West block. All the contracts with the exception of Calvin Perkins' agreement, have been submitted to the City Office. The Task Force recommends that the sidewalk be constructed at City expense and Calvin Perkins billed for the cost.
3. Correct drainage problems at 100 West 220 North in order to prevent future sidewalk construction problems.

This Task Force will meet on March 17, to reaffirm or reconsider the next priorities on sidewalk construction. Further recommendations will be submitted following this meeting.

Judy Mainord

Task Force Chairman

14. The Council discussed matters relative to water and sewer connection charges and requested that a check list of items required of construction contractors anticipating projects in the community, be completed on each project commenced.

15. Mayor Bradford requested that the Council review the personnel policies and job description matters which were previously discussed in January.

16. Following consideration of proposals for furnishing a patrol car to the City, motion was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried that the proposal of Tom Redd of Cortez, Colorado for furnishing a patrol car to the City of Blanding be accepted.

17. Mayor Bradford advised the Council on behalf of Councilmember Osborn that the matter of the proposal made by Jerry and Lynnette Adams relative to providing right-of-way for a city street to be constructed in the area west of 5th West Street, has been assigned to the City Streets and Sidewalks Task Committee for further study.

18. Councilmember Smith reported that the proposed ensuing season city streets maintainance and construction program has been submitted to the San Juan County Road Department for review and cost estimate, following which a decision will be reached relative to priority of projects to be completed.

19. Councilmember Black discussed with the Council matters relative to the city water system and proposed water projects inclusive of the possibility of constructing a reservoir south and east of Reservoir #3, the question of how much water will be impounded in the proposed Starvation Reservoir and the matter of possibly purchasing water from Mr. Robert Redd of Indian Creek Ranches.

20. The Council discussed a purportedly hazardous situation existing at the Harold Mosley property northeast of the city.

21. Following discussion of a reduction in water rates during the ensuing irrigation season, the Council determined that financial and rate information requires additional study prior to making a decision in the matter.

22. Motion was made by Councilmember Lyman, seconded by Councilmember Johnson and unanimously carried that the recorder be authorized to purchase 2200 shares of Blanding Irrigation Company water stock which may be available from a local resident, at a price of \$4.00 per share.

23. Mayor Bradford reported that Governor Matheson will be in the community on April 11, 1983 and has scheduled the period from 10:30 a.m. to 11:00 a.m. for considering programs and proposals of the City of Blanding and the White Mesa community.

24. Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City accept the proposal of Continental Telephone System for installation of a communication system in the City Office building, said system to cost \$3,796.00.

25. Motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that the City ratify and confirm the action of the City Administrator in obtaining the services of Mr. Dee Walmsley, electrical engineer, for preparation of the City's application for post 1989 Colorado River Storage Project Power, fee for said services to be \$700.

26. Mayor Bradford reported that San Juan County and the Utah State Economic Development Department agreed that the Community Development Block Grant Funds allocated to San Juan County under the current program should be utilized on a priority basis with Blanding City remaining the applicant on all proposed projects as follows:

1. Halls Crossing Recreation Community Study
2. Blanding City Starvation Reservoir
3. Blanding City historic building preservation

27. Mayor Bradford presented information indicating that sales tax collection in Monticello City are 135% of that collected in Blanding City.

28. Mayor Bradford advised that he will be meeting with the San Juan County Water Conservancy District Board on March 15, 1983 to present the Blanding City proposal for purchase of water from them in connection with the Recapture Reservoir water impoundment and that should such proposal be unacceptable to the District, the March 23, 1983 City Council meeting agenda should schedule time for the District's counter proposal.

Meeting was adjourned at 11:53 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A SPECIAL MEETING OF THE
BLANDING CITY COUNCIL
HELD MARCH 30, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws
City Attorney:	Craig C. Halls
SJ High School Rep.:	Susan Shumway

Also present were: Harold Lyman; DeWayne Tatro; Milton Pipkin; Melvin Laws; Cliff Harrelson; Stanley Bronson; Fred Halliday; George Low; Rayburn Jack; Paul Foreman; Preston Nielson; Joe F. Lyman; Ned Billsie; Ivan Watkins; Robert Hosler; Richard Pincock; Marsha Keele; Steve Bronson; Jim Shearer; Tom Austin.

1. Prayer was offered by Francis D. Nielson.
2. Minutes of City Council meeting March 9, 1983 were approved.
3. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1983-12

A RESOLUTION AUTHORIZING EXECUTION
OF AN OIL AND GAS LEASE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain oil and gas lease wherein the City of Blanding is leasing to Petroleum Land Corporation, all City-owned land not already under lease for such purposes, to explore for and produce therefrom oil, gas and other such hydrocarbons; that a copy of such lease be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 30th day of March, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

4. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Osborn, and unanimously carried:

RESOLUTION NO. 1983-13

A RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT TO PROVIDE HEALTH
SERVICES

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the Counties of Carbon, Emery, Grand and San Juan, Utah comprising the Southeastern Utah Health District, under which said District will provide health services to the City; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 30th day of March 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Lyman, and unanimously carried:

RESOLUTION NO. 1983-14

A RESOLUTION AUTHORIZING EXECUTION
OF A CORPORATE ROYALTY JOINDER

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Ratification and Joinder Unit Agreement for the development and operation of the Blanding Unit Area with Tenneco Oil Company being operator on a 12,930.24 acres, more or less, oil and gas pool or field in accordance with terms and conditions of the Mineral Leasing Act of February 25, 1920, 41 Stat. 437, as amended, 30 U. S. C. Sec. 181, et seq; that a copy of such Ratification and Joinder Unit Agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 30th day of March, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

6. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1983-15

A RESOLUTUION AUTHORIZING EXECUTION
OF A CONTRACT AGREEMENT RELATIVE TO
CONSTRUCTION OF WASTEWATER TREATMENT
FACILITIES IN CONNECTION WITH FEDERAL
SEWAGE WORKS GRANT NO. C490201-94

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and Stratton Brothers Construction Company, Inc., relative to construction of wastewater treatment facilities, the contract price of which is \$1,145,000.00; that a copy of said contract agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 30th day of March, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

7. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried:

RESOLUTION NO. 1983-16

A RESOLUTION AUTHORIZING EXECUTION
OF THAT CERTAIN "NOTICE OF INTEREST"
DECLARING INTEREST HELD IN BLANDING
CITY WASTEWATER TREATMENT FACILITIES
BY THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute a Notice of Interest declaring interest held by the United States Environmental Protection Agency in property on which the Blanding City Wastewater Facilities are located; that a copy of such Notice of Interest be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 30th day of March, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

8. The Director of Public Works asked that the discussion on the Animal Control Ordinance be tabled to the next City Council meeting.

9. The Director of Public Works reported to the Council that the men working with City crews through the Emergency Works Program and the San Juan Center, College of Eastern Utah, work programs have been doing a good job and have made it possible to accomplish many projects. The Justice Peace Court work project has been moderately successful.

10. Following disucssion with the City Engineer relative to a maintainance contract on the water treatment plant, motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the Council execute a maintainance contract on the water treatment plant with PCI Service, Inc. totalling \$1210 per year.

11. The City Engineer reported to the Council that the Department of Transportation has advised that it is holding \$4000 in funds due the City as a result of cost overruns on curb, gutter and sidewalk projects.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the money be issued to the City so that it could

be used on future projects.

The City Engineer also informed the Council that the City may still apply for more funds this year.

12. Following discussion with Mr. Cliff Harrelson and Mr. Melvin Laws relative to the matter of electric power to the Fun Center being turned off, it was decided that Mr. Harrelson should bring his portion of the bill current. Mr. Laws consented to have the rent money paid towards the old balance.

13. Mr. Craig C. Hall, City Attorney, advised the Council of a communication from S & H Insurance Co., the bonding agency on the Water Improvements Project, Phase I, Schedules I & II, relative to the project contractor, Albrecht Construction Co., being in default on the contract, and that all monies currently owing the contractor must be paid by checks payable to S & H Insurance Co. and Albrecht Construction Co.

The City Administrator advised that a communication has been received, subsequent to the before-stated S & H communication to the City Attorney, advising that Albrecht Construction Co. is anticipating completion of the project and that until further legal notices are given, the City of Blanding will expect the project to be completed by the contractor as scheduled.

14. The City Administrator presented to the Council a schedule of the water rates and a financial statement of the water department. After some discussion, Councilmember Black rescinded his suggestion that there be a water rate decrease for the ensuing season.

15. Mr. Preston Nielson and Mr. Fred Halliday presented to the Council their concern over the beer license issued to Shirt Tail Corner and their desire to have an opinion vote taken to find out the feelings of the citizens in the community.

Following discussion of the above matter, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City have an opinion vote as soon as possible including all four voting precincts and that the City Administrator have the authority to authorize someone to help organize the proceedings.

16. Following discussion of a recent request to the Utah Liquor Control Commission by a non-resident of Blanding for consideration of an establishment of a state liquor outlet within the Blanding City corporate limits, motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City Administrator communicate to the Liquor Control Commission that in the opinion of the governing body of Blanding City, the establishment of a state liquor outlet in Blanding would be detrimental to the well-being of area residents; that demographics (race, etc.) have changed very little since the situation was last studied; and that the Commission be respectfully requested not to locate a liquor outlet within the Blanding area.

17. Mr. Rayburn Jack suggested to the Council that the County Ordinance concerning sale of light beer in San Juan County be studied to determine if the wording is appropriate for the results wanted.

18. City Attorney, Craig C. Halls, and Mr. Ivan Watkins presented to the Council the San Juan County Water Conservancy's counter agreement. Following discussion of the above matter, it was decided that there were still several points of disagreement and the Council decided to defer any action until a meeting could be held with the Irrigation Company.

Francis D. Nielson, Bruce N. Black and Craig C. Halls were appointed as an executive committee to prepare an agreement with all of the City's conditions and then meet with the Irrigation Company.

19. The Administrator reviewed with the Council the following memorandum:

MEMORANDUM

TO: The Honorable Mayor and Members of the City Council
City of Blanding, Utah

SUBJECT: Transients misuse of central city property, public intoxication - proposed corrective action and control measures.

The following information, recommendations and proposals relative to the subject matter, are the result of study and subsequent conference by the City Attorney, Chief of Police and City Administrator:

Police Authority.

Although other sections of the State and City law apply to the problem, we have concluded that this situation will be properly handled under Title 23-20-14 of the Utah Code Annotated and Titles 13-322, 13-973 of the Revised Ordinances of the City of Blanding, relative to trespass and public intoxication.

Enforcement of these laws will require cooperation from property owners in either placing or giving written authority allowing the placement of "Loitering and Trespassing Prohibited" signs, and by their giving written authority for law enforcement officers to enter upon their property and apprehend law violators.

Recommendations

- A. Inasmuch as it is often difficult to get property owners to carry out a program such as signing their property, we recommend the City purchase a stock of 50 "Loitering and Trespassing Prohibited" signs and obtain on a proper form the authority to place the same as needed. This would enable us to pursue the problem in any area of the community where the need might arise.
- B. Property owners in affected areas should be solicited by City personnel to sign an authorizing affidavit allowing law enforcement officers access to their property for handling matters requiring attention.
- C. The intended action in this matter should be given adequate advertising and such notice as is possible should be given those who may possibly become involved in such law violations.
- D. The abovestated statutes and ordinances carry adequate penalty provisions for committed offenses. We make no recommendations relative to judgements rendered, consistent with separation of legislative and judicial responsibility, excepting to state that the problem of repeating offenses should be given consideration.
- E. The local Alcohol-Drug Task Committee may well give consideration to educational and rehabilitation programs necessary to long-term solutions to the subject problem. The Police Department is organized as an enforcement agency and, unfortunately, has neither time nor budget to cope with social programs, except as it's individual members desire to involve themselves in committee assignments, etc.

Enforcement

Subject to the obtaining of the required authority as abovestated, the necessary surveillance and emphasis will be brought to bear on the matter sufficient to handle it and give peace of mind to those currently being offended.

Mr. George M. Low, Justice of the Peace, presented to the Council a density map indicating the areas of greatest violation relative to the above matter and discussed briefly judgments rendered in pertinent cases.

Mr. Jim Shearer outlined briefly for the Council, the rehabilitation programs available and utilized in cases relative to the above matter.

Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the recommendations in the foregoing memorandum be implemented as soon as possible.

20. Councilmember Osborn reported to the Council, as Chairman of the City Economic Development Committee, that the committee would like to have a pole installed across the highway from the Happy Jack Drive-In so that a welcome banner could be placed across the highway.

Following discussion relative to the above, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that a pole be installed across the highway from the Happy Jack Drive-In so that a banner can be placed across the highway.

21. The Mayor reported to the Council that Safeway Stores, Inc. would be starting construction of a grocery store on the W $\frac{1}{2}$ of Block 14, Blanding Townsite Survey, Plat A on approximately July 1, 1983.

Mr. Stanley Bronson, on behalf of Grayson Development Company, requested that the Council consider vacating and selling to his company 2nd East street between US 191 and 1st North Street. The Council declined to take action on the matter but indicated that subject to Grayson Development Company becoming successful in financing a shopping mall in the area, they would probably act favorably on the request.

Mr. Joe F. Lyman registered some concern with the Council over possible vacating of said street. The Council suggested that Mr. Lyman and Grayson Development Company resolve what differences may exist in the matter prior to final Council consideration of vacating said street.

22. Mr. Phil Palmer reported to the Council that Dennis Burt, Real Estate Representative Safeway Stores, Inc., has advised him that Safeway Stores, Inc. will proceed with construction of a grocery store on the W $\frac{1}{2}$ of Block 14, Blanding Townsite Survey, Plat A without the utilization of Industrial Revenue Bonds.

Mr. Palmer also informed the Council of a concern the Utah Department of Transportation has about the extra runoff water that will be flowing onto US Highway 191 after Safeway Stores, Inc. has paved their parking lot.

The streets policy with the County was discussed in regards to the Safeway Stores' project. It was determined that Safeway would put in their own curbs and gutters and the City, through the County, would extend the asphalt from existing streets to meet the curb and gutter.

23. Mayor Bradford advised the Council that the Southeastern Utah Association of Local Governments has requested that Blanding City submit nominees for the Private Industry Council which is to be organized by such ALG for the purpose of administering the new Jobs Training Partnership Act.

The following names were approved for submittal to the ALG by the City Council:

Norman Johnson
Stanley Bronson
F. Gregory Stringham

24. Mr. Phil Palmer presented to the Council the curb, gutter and sidewalk priority list. The Planning Commission will consider the list and then present their recommendations to the Council.

25. The Administrator reported to the Council that there appears to be no advantage in refunding the General Obligation Sewer Bonds, Series 2-1-82, as Internal Revenue Service regulation will not permit proceeds from refunding bonds to be invested at a greater rate of interest than the bonds to be refunded.

26. The Administrator reported to the Council that the preconstruction conference necessary to the Sewer Treatment Facilities Project No. C490201-94 contract award was completed this day; that the Notice to Proceed was issued to the contractor, the acceptance of the Award of Bid and the Payment and Performance Bonds were received. The contractor's project starting date is April 11, 1983 and his scheduled completion date is November 30, 1983.

27. The City Administrator advised the Council that Mr. Keith Hoggard was desirous of leasing property adjacent to the Blanding Municipal Airport which has been designated as an Industrial Park area on which to establish a sawmill.

The Council asked the City Administrator to pursue the matter for further information and to indicate to Mr. Hoggard that the Council is interested in his proposal.

Councilmember Osborn will advise the City Economic Development Committee of Mr. Hoggard's desire.

28. Councilmember Black discussed with the Council matters pertaining to the water system inclusive of the status of possible Blanding Irrigation Company water shares being available for sale.

29. Councilmember Osborn reported to the Council that the Lions Club is being reorganized and that they would be available for community projects. They are especially interested in the development of land for parks.

30. Councilmember Osborn reported to the Council that the Planning Commission recommended that the City go ahead and complete the sidewalk adjacent to the Calvin Perkins' property at approximately 150 South 1st West Street to enable completion of sidewalk project and notify owner of the cost.

Following discussion of the matter it was decided that the City Administrator contact Mr. Perkins before any action is taken.

31. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City contribute \$200 to the San Juan Education Days to be held April 8 & 9, 1983.

32. Councilmember Smith advised the Council that the Church of Jesus Christ of Latter Day Saints would like to contribute to the City a narrow strip of land adjacent to the south side of the Blanding Recreation Complex. The Council indicated no interest in obtaining the property.

33. The Mayor advised the Council that the Community Development Block Grant funds application has been revised so that \$55,000 will go to Utah State University for funding of a study to be made of a proposed Halls Crossing recreation community and that the City of Blanding will be entitled to the remaining \$36,000 for the purposes of the original application.

Following discussion of the above, motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the revision of the Community Development Block Grant Application as above stated be, and same is, hereby approved.

34. Mayor Bradford suggested to the Council that Indian Creek Ranches may possibly be interested in diverting a portion of their Indian Creek water allocation through the Blanding tunnel for use on land in the Blanding area, and that such an arrangement may carry with it the possibility of the City negotiating the purchase of water rights from the Indian Creek Ranches.

35. To complete the record relative to the purchase of a patrol car by the City, the following action was taken:

Bid proposals for furnishing a patrol car to the City of Blanding were considered as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Peterson Ford	\$ 10,015.00
Mike Young, Inc.	10,552.00
Doug Smith Chrysler/Plymouth	9,989.95
Martin's Dove Creek Implement, Inc.	9,986.00
Butterfield Ford	10,019.00
Tom Redd Chevrolet, Inc.	9,948.00

Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City accept the proposal of Tom Redd Chevrolet, Inc. for furnishing a patrol car to the City at the price of \$9,948.00.

36. Mayor Bradford appointed Councilmember Lyman as Chairman of the City Alcohol-Drug Task Committee, which assignment was duly accepted.

Meeting adjourned at 11:36 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD APRIL 13, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were:

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalée Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws
SJ High School Rep.:	Susan Shumway

Also present were: Ron Dickamore, Monticello District Ranger, U.S. Forest Service; Ed Scherick, Area Manager, San Juan Resource Area, Bureau of Land Management.

The meeting was conducted by Francis M. Lyman, Mayor Pro Tempore.

1. Prayer was offered by Councilmember Lyman.
2. Minutes of City Council meeting March 30, 1983 were approved.
3. Mr. Ron Dickamore, Monticello District Ranger, U.S. Forest Service, and Mr. Ed Scherick, Area Manager, San Juan Resource Area, Bureau of Land Management, discussed with the Council their fee schedules for fuel wood in respect to their individual jurisdictions.
4. The City Administrator advised the Council that Utah State Liquor Commission Officials are desirous of meeting with them on April 19, 1983 at 9:00 o'clock a.m. in the City Hall relative to discussing an application they had received for a liquor sales outlet in the Blanding area. The Council indicated that they would meet with Liquor Control Commission Officials in accordance with the proposed schedule.
5. The Director of Public Works discussed with the Council proposed revision of the Animal Control Ordinance. The Council concluded that the revision as proposed should be reviewed by the City Attorney prior to taking formal action.
6. The City Administrator advised the Council that Tenneco Oil Company will be drilling north of Blanding and that he had given them permission to draw water from Reservoir 4A at 60¢ per thousand gallons and culinary water from the City Office at \$2.00 per thousand gallons.
7. Councilmember Black expressed to the Council his concern about the possibility of the City 1.0 M.G. concrete reservoir near the water treatment plant settling and possibly cracking as a result of seepage from Reservoir No. 2 saturating the area on which the reservoir is located.
The Administrator advised that the matter had been earlier discussed with Henningson, Durham and Richardson, Inc., consultants in the design of the reservoir, who indicated there is ample base under the tank to preclude any problem resulting from circumstances in question.
8. Councilmember Osborn, representing the Planning Commission, inquired of the City Engineer if there could be a check list of requirements in the matter of revisions which may be desired by firms and individuals relative to zoning and land use. The engineer advised that the requirements were duly outlined in the current zoning ordinance and that if it would be helpful, he could make a list of specific items for use by the Planning Commission.

9. Councilmember Osborn reported the following to the Council in behalf of Mayor Bradford:

A. Mayor Bradford met with the San Juan County Commission on April 11, 1983 relative to County licensing of light beer outlets in the Blanding area and was informed by the Commission that Blanding City desires relative to the matter will receive no consideration outside the Blanding corporate limits.

B. Annexation of the area adjacent to the northeast limits of the City might be advantageous in the licensing and control of commercial enterprise. The Council concluded that residents of the area should be contacted regarding their desires in the matter.

10. The City Administrator advised the Council that the Bureau of Land Management has indicated they will act affirmatively on the application of the San Juan Association for purchase of public lands under the Recreation and Public Purposes Act, subject to the City of Blanding accepting responsibility for access, building construction control and zoning ordinance regulations enforcement.

11. Following discussion of purchasing water from Mr. Robert Redd, Indian Creek Ranches, motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that the City Administrator be authorized to offer Mr. Robert Redd, Indian Creek Ranches, \$100,000 for the bottom 4 cubic feet per second from the upper Indian Creek drainage.

12. Councilmember Black discussed with the Council possible health hazards in the community resulting from poorly maintained corrals and outbuildings housing animals.

13. Councilmember Lyman suggested that consideration of the City Organization Chart be deferred until a later meeting.

14. Following discussion of a date for a light beer sales opinion poll, motion was made by Councilmember Osborn and seconded by Councilmember Johnson that a light beer sales opinion poll for all voting age residents in the four voting precincts be scheduled for May 17, 1983.

Those voting "AYE":	Councilmember Black
	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn

Those voting "NAY":	Councilmember Smith
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15. Councilmember Black suggested that the City use some of the court assigned personnel to clean trash out of ditches and around the reservoirs.

16. The City Administrator suggested that the City have Wayne Perkins enforce closer dog control and the City Council indicated their support in this matter.

17. The City Administrator read to the Council the following bid for City pasture rent:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Erwin Oliver	\$176.49

Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried to accept the above bid of Mr. Oliver.

Meeting adjourned at 9:12 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD APRIL 27, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws

Also present were: Marsha Keele; Harold Lyman.

1. Prayer was offered by Councilmember Smith.
2. Minutes of City Council meeting April 13, 1983 were approved.
3. The City Administrator read the following letter to the Council:

TO: WORKING AND ROYALTY INTEREST OWNERS

Re: Blanding Unit Area
San Juan County, Utah

Ladies and Gentlemen:

Reference is made to my letter of March 17, 1983 transmitting to you a copy of the Blanding Unit Agreement (Unit Operating Agreement to working interest owners) with eight (8) copies of Ratification and Joinder instruments thereto, and inviting you to commit your interest to the unit.

I now enclose a copy of a letter dated April 8, 1983 from the Bureau of Land Management designating 12,930.24 acres, more or less, in San Juan County, Utah, as logically subject to exploration and development under the unitization provisions of the Mineral Leasing Act, to be known as the Blanding Unit Area.

We are dating the Blanding Unit and Unit Operating Agreements April 8, 1983, and request that you note your records accordingly.

Of you who have not returned executed Ratification and Joinder instruments, I request you do so at your earliest convenience. Tenneco Oil Company plans to have the Unit Agreement approved as soon as possible and to be drilling the test well immediately thereafter.

Very truly yours,

EDMUNDSON, INC.

By _____
Paul S. Conner
Vice President

PSC:dwm
Enclosures

4. The Mayor presented the following invitation to each Councilmember:

27 April 1983

TO: Blanding Mayor and City Council

FROM: Fred E. Halliday
San Juan Foundation for Higher Education

We would like to extend a special invitation to each of you to be in attendance at the signing of a lease between the Bureau of Land Management and the San Juan Foundation for 120 acres of land adjacent to the College of Eastern Utah - San Juan Center. This culminates nearly a year of dedicated hard work by the BLM and San Juan Center staffs, and members of the San Juan Center Advisory Council and Foundation Board of Directors.

This land will be used to expand and enhance the educational activities of the San Juan Center.

The signing will take place at the San Juan Center, 639 West 1st South in Blanding on Friday, May 13, at 3:00 P.M.

5. The City Administrator advised the Council of a Notice of Hearing relative to a Nuclear Repository proposal for the Gibson Dome area on May 3, 1983 at 7:00 o'clock p.m. in the Monticello High School Auditorium, Monticello, Utah.
6. Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the following ordinance be adopted:

ORDINANCE NO. 6-110

AN ORDINANCE IMPOSING A SEVEN-EIGHTHS PERCENT LOCAL SALES AND USE TAX, PROVIDING FOR THE PERFORMANCE BY THE STATE TAX COMMISSION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION, OPERATION AND COLLECTION OF A SALES AND USE TAX HEREBY IMPOSED, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Be it ordained by the Blanding City council:

Section 1. TITLE. This ordinance shall be known as the "Uniform Local Sales and Use Tax Ordinance" of Blanding City.

Section 2. PURPOSE. The 45th session of the Utah Legislature authorized municipalities of the State of Utah to enact Sales and Use Tax Ordinances imposing a seven-eighths of one percent tax.

It is the purpose of this ordinance to levy and impose a seven-eighths percent local option sales and use tax, to authorize and designate the Utah State Tax Commission as agent for the municipality to collect the tax and to conform with the requirements of the Uniform Local Sales and Use Tax law of Utah, Chapter 9, Title 11, Utah Code Annotated, 1953.

Section 3. EFFECTIVE DATE. This ordinance shall become effective as of 12:01 o'clock a.m., July 1, 1983. The provisions of the previously enacted Uniform Local Sales and Use Tax ordinance of the municipality which is repealed hereby and which are in conflict herewith shall continue effective until 12:00 o'clock midnight, June 30, 1983. The provisions of this ordinance which are not in conflict with said former ordinance shall be deemed to be a continuation thereof and any rights, duties and obligations arising thereunder shall not in any way be deemed abrogated or terminated.

Section 4. SALES TAX.

A. (1) From and after the effective date of this ordinance, there is levied and there shall be collected and paid a tax on every retail sale of tangible personal property, services and meals made within the municipality at the rate of seven-eighths percent.

(2) For the purpose of this ordinance, all retail sales shall be presumed to have been consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. If a retailer has no permanent place of business in the state, or has more than one place of business, the place or places at which the retail sales are consummated shall be as determined under the rules and regulations prescribed and adopted by the State Tax Commission.

Public utilities as defined by Title 54, Utah Code Annotated, 1953, shall not be obligated to determine the place or places within any county or municipality where public utilities services are rendered, but the place of sale or the sales tax revenues arising from such service allocable to the municipality shall be as determined by the State Tax Commission pursuant to an appropriate formula and other rules and regulations to be prescribed and adopted by it.

B. (1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of the Uniform Local Sales and Use Tax law of Utah, all of the provisions of Chapter 15, Title 59, Utah Code Annotated, 1953, as amended, and in force and effect on the effective date of this ordinance, insofar as they relate to excepting for the amount of the sales tax levied therein, are hereby adopted and made a part of this ordinance as though fully set forth herein.

(2) Wherever, and to the extent that in Chapter 15 of Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of this municipality shall be substituted therefor. Nothing in this subparagraph (b) shall be deemed to require substitution of the name of the municipality for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of Utah, nor shall the name of the municipality be substituted for that of the State in any section when the result of that substitution would require action to be taken by or against the municipality or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

(3) If an annual license has been issued to a retailer under section 59-15-3, Utah Code Annotated, 1953, an additional license shall not be required by reason of this section.

(4) There shall be excluded from the purchase price paid or charged by which the tax is measured:

(a) The amount of any sales or use tax imposed by the State of Utah on a retailer or consumer;

(b) Receipts from the sale of tangible personal property on which a sales or use tax has become due by reason of the same transaction to any other municipality and any county in the State of Utah, under a Sales or Use Tax Ordinance enacted by that county or municipality in accordance with the Uniform Local Sales and Use Tax law of Utah.

Section 5. USE TAX.

A. An excise tax is hereby imposed on the storage, use, or other consumption in this municipality of tangible personal property from any retailer on or after the operative date of this ordinance for storage, use or other consumption in the municipality at the rate of seven-eighths percent of the sales price of the property.

B. (1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of the Uniform Local Sales and Use Tax law of Utah, all of the provisions of Chapter 16, Title 59, Utah Code Annotated, 1953, as amended and in force and effect on the effective date of this ordinance, applicable to use taxes, excepting the provisions of sections 59-16-1 and 59-16-25 thereof and excepting for the amount of the tax levied therein, are hereby adopted and made a part of this section as though fully set forth herein.

(2) Wherever and to the extent that in Chapter 16 of Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of Blanding City shall be substituted therefor. Nothing in this subparagraph B shall be deemed to require the substitution of the name of this municipality for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of Utah, nor shall the name of the municipality be substituted for that of the State in any section when the results of that substitution would require action to be taken by or against the municipality or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

(3) There shall be exempt from the tax due under this section:

(a) The amount of any sales or use tax imposed by the State of Utah upon a retailer or consumer;

(b) The storage, use or other consumption of tangible personal property, the gross receipts from the sales of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with the Uniform Local Sales and Use Tax law of Utah by any other municipality and any county of the State.

Section 6. The mayor is authorized to execute whatever documents are necessary to distribute sales and use tax revenues on the combination of point of sale and population factors set forth in section 11-9-5, Utah Code Annotated 1953.

Section 7. CONTRACT WITH STATE TAX COMMISSION. Heretofore, this municipality has entered into an agreement with the State Tax Commission to perform all functions incident to the administration or operation of the Sales and Use Tax Ordinance of the municipality. That contract is hereby confirmed and the mayor is hereby authorized to enter into such supplementary agreement with the State Tax Commission as may be necessary to the continued administration and operation of the Local Sales and Use Tax Ordinance of the municipality as reenacted by this ordinance.

Section 8. PENALTIES. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine in an amount less than \$299.00 or imprisonment for a period of not more than six months, or by both such fine and imprisonment.

Section 9. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, including but not limited to any exemption is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

It is the intention of the City council that each separate provision of this ordinance shall be deemed independent of all other provisions herein.

Passed and order Posted by the City council this 27th day of April, 1983.

MAYOR

ATTEST:

CITY RECORDER

DATE OF FIRST PUBLICATION OR POSTING: April 28, 1983

7. The City Engineer reported the following items to the Council:

A. Stratton Brothers Construction Company, Inc. has started construction at the sewer lagoon site.

B. Mr. Leamon Roberson, representing the Blanding Golf Association, requested permission to tap the water line from Reservoir #3 to avail of water for watering the golf course greens. The Council approved such water connection.

C. The plastic water line traversing the Pioneer Estates sub-division is requiring constant maintenance and repair.

D. City crew has completed maintenance on the upper ditch necessitated by vegetation, rocks and debris falling into the ditch from the upper or cut side.

8. Mr. Harold Lyman of the City Economic Development Committee reported the following progress of the committee to the Council:

A. The Utah Conference on Small Businesses will be held May 12, 1983 in Salt Lake City.

B. Reviewed titles of six laws passed during the last session of the Utah State Legislature, relative to small businesses.

C. Priscella Baker, Special Assistant, National Park Service, Washington D.C., will be in the area to help promote Natural Bridges National Monument and other southern Utah parks and monuments on May 13, 1983.

D. The committee acted as co-sponsor for the Natural Bridges National Monument's 75th anniversary celebration.

E. The committee will be sponsoring a tourism workshop with Utah State University on May 16, 1983.

9. Councilmember Osborn, Chairman of the City Economic Development Committee, expressed the committee's appreciation to City personnel for dispatch in installing "Welcome to Blanding".

10. Councilmember Smith inquired as to the status of Canyonlands 21st Century Corporation's electric bill. The City Administrator advised that he had spoken with Mr. Dale Slade and that they promised payment by May 17, 1983. If this payment is not made, their power will be terminated.

11. The Mayor discussed the following items with the Council:

A. The Halls Crossing Recreation Community steering committee would be enhanced by the addition of two members. The Council agreed to the enlargement of the committee.

B. The United States Bureau of Indian Affairs has stated that the Ute Mountain Ute Tribe may not sale any trust land and therefore, it may be impossible for the City to obtain land at the north end of the Blanding Airport for runway extension.

C. Construction of 6th West Street south from 1st South Street is necessary to the operations of the San Juan Center, College of Eastern Utah.

Motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that the current city street improvement program be revised to include the construction of 6th West Street south from 1st South Street as a high priority item.

12. The City Organization Chart and job responsibilities of the City employees were discussed by the Council.

13. Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that National General Builders, Inc. and P. Kent Fairbanks, AIA, contractor and architect, respectively, on the Blanding Municipal Airport administration building be advised that the uncompleted work on the building will be finished by the City of Blanding and the \$500 remaining due to the contractor will be withheld and used in completion of such work.

14. The Mayor inquired if any date had been designated for a clean-up week. Councilmember Osborn said that the City Economic Development Committee would discuss the matter at their next meeting and report back to the Council.

15. Mr. Harold Lyman reported the following items to the Council:

A. Mayor Bradford was appointed to the Utah State Economic Development Committee.

B. At the SEUAOG meeting in May, fifteen members will be appointed to the PIC.

C. The budget for the Summer Youth Employment Program will provide for 30-35 youth jobs.

Meeting adjourned at 9:37 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD MAY 11, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws

Absent was Councilmember: Bruce N. Black

Also present was Mr. Harold Lyman.

1. Prayer was offered by R. Dwight Laws.
2. Minutes of City Council meeting April 27, 1983 were approved.
3. Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the following resolution be adopted:

RESOLUTION NO. 1983-17

A RESOLUTION AUTHORIZING THE
TRANSFER OF BOND CONSTRUCTION
FUNDS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be transferred from the Blanding City, Utah Construction Agreement Account No. 0994650 at Zions First National Bank, Salt Lake City, Utah to Blanding City Sewer Construction Fund at First Western National Bank, 111 East Center Street, Blanding, Utah 84511, the sum of \$400,000.00; that the balance remaining in the said Account No. 0994650 be transferred to the Blanding Utah General Obligation Sanitary Sewer Bonds Series February 1, 1982 Account No. 0994658 at Zions First National Bank, Salt Lake City, Utah; and that Account No. 0994650 be closed.

PASSED, ADOPTED and APPROVED this 11th day of May, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

4. Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the following resolution be adopted:

RESOLUTION NO. 1983-18

A RESOLUTION AUTHORIZING PARTICIPATION
IN THE UTAH STATE RETIREMENT SYSTEM
LONG-TERM DISABILITY PROGRAM

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City of Blanding participate in the Utah State Retirement System Long-Term Disability Program as established by the Utah State legislature convened in 1983 and known as Senate Bill No. 30; that the effective beginning date of such participation be July 1, 1983; that the Mayor be, and he is hereby, authorized to execute all contracts and/or agreements required in the matter by the Utah State Retirement System; and that a copy of all such contracts and/or agreements be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 11th day of May, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. The Director of Public Works reported the following work progress to the City Council:

- A. The City crews have been cleaning debris from the streets, hauling gravel and mowing where needed.
- B. The water treatment plant operator has completed maintenance necessary to place the plant on an automatic operating basis.
- C. Installation of the park water systems is underway; the fencing material is on hand and the pipe is in place for the backstops.
- D. The dog control program is being carried out by Mr. Wayne Perkins.
- E. Necessary water meter replacement is nearing completion.

6. The City Engineer reported the following to the Council:

- A. The contractor commenced work on the fire station on April 26, 1983.
- B. Final inspection on Water Improvement Projects, Phase I, Schedule V is scheduled for May 20, 1983.
- C. The contractor at the Sewer Lagoon Treatment Project Number C490201-94 has advised that there will be an excess of earth from the excavation, the same may be profitably used as fill material in the area north of the treatment facility site. The Council agreed that the engineer may utilize the available fill material in the area of his choice.
- D. Water drainage structure at 1st East and Center Street has been completed by city crews.
- E. Requested and received permission from the Council to utilize assigned training personnel in the installation of curb and gutter forms.

7. The City Administrator discussed the following items with the Council:

- A. Following described land is available for purchase by the City of Blanding at a price of \$1,300 per acre.

Parcel 1: Section 10, T37S, R22E, SLM, beginning at the SE corner of Section 10, thence North 1320 feet, thence West 364.85 feet, thence South 395.15 feet, thence West 295.15 feet, thence South 924.85 feet, thence East 660 feet to the point of beginning. Containing 17.346 acres more or less.

Parcel 2: E1/2 NE1/4 NE1/4 of Section 15, T37S, R22E, SIM
Containing 20 acres more or less.

Following discussion by the Council of possibly using said land to exchange for land necessary to the enlargement of the Blanding Airport, motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City purchase the foregoing described tracts of land from Willard J. Guymon as trustee for Willard M. and Eleanor J. Guymon at a price of \$1,300 per acre and that the acreage purchased be limited to 25 acres.

B. Recent flooding in the area of the Westwater Ruin, which the City of Blanding has received as a portion of the land being obtained under the Recreation and Public Purposes Act from Utah Navajo Development Council through the United States Department of the Interior, has unearthed antiquities which will require archaeological study. At the present time, Utah Navajo Development Council has proposed that they and the City of Blanding share the cost of the archaeological expense.

Motion was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried that the City authorize the expenditure of \$1,000 for payment of archaeological expense to be encured at the Westwater Ruin site for excavation and preservation of antiquities currently partially exposed.

C. National General Builders, Inc., contractor on the airport administration building, has agreed that the City shall utilize the remaining \$500 due the contractor on the project in completing minor finish work necessary prior to accepting and utilizing the facility.

8. Councilmember Osborn reported to the Council on behalf of the City Economic and Development Committee that Mr. Bob Hosler and Mr. Dwight Laws requested rezoning of Block 25, Blanding Townsite Survey, Plat A and Blocks 1, 6 & 7, Lyman Addition, Blanding Townsite from R1 to R2.

Following discussion by the Council, motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that a Public Hearing be held June 8, 1983 at 8:00 P.M. at the City Hall relative to possibly rezoning Block 25, Blanding Townsite Survey, Plat A and Blocks 1, 6 & 7, Lyman Addition, Blanding Townsite from R1 to R2.

9. Councilmember Osborn advised the Council that the Planning and Zoning Commission may possibly reorganize their task committees.

10. Mr. Harold Lyman made a request to the Council for a donation of \$500 to the Small Business Development Center.

Following discussion of such request, motion was made by Councilmember Osborn and seconded by Councilmember Lyman that a \$500 donation be given to the Small Business Development Center.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Osborn
	Councilmember Lyman

Those Abstaining:	Councilmember Smith
	Councilmember Johnson

Whereupon Mayor Bradford noted that insufficient votes were cast to carry the motion and subsequently voted "aye" and thereupon declared the motion carried.

11. Councilmember Smith inquired of the Canyonland 21st Century Corporation's electric account status. The City Administrator advised that a payment had been received and that further payment should be received following the company receiving funds due from a California account.

12. Councilmember Lyman advised the Council that Alan Hawkins will be leaving the Police Department May 31, 1983.

Following discussion of the above matter, Francis D. Nielson, Francis M. Lyman, Mayor Bradford and J. Bevan Wright, Chief of Police, were appointed as a screening committee for the applicants.

13. Mayor Bradford discussed with the Council the following items:

A. Mr. Eddie Toledo desires to utilize the old sewer treatment plant land for pasturing his horses during the ensuing summer season. Council approved Mr. Toledo using the land for a nominal fee to be established by the City Administrator.

B. Access to the proposed Cultural Center in the vicinity of "White Rocks" at the west edge of the City will require obtaining rights-of-way easements from various area property owners.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City attempt to obtain the rights-of-way as above described.

C. Following discussion of a letter received from the Utah Liquor Control Commission acknowledging a meeting with the City Council and other concerned parties on April 19, 1983, motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City write the Utah Liquor Control Commission indicating their formal opposition to a liquor sales outlet being established in the Blanding area.

D. Ms. Priscilla Baker, Assistant Director, United States National Park Service, will be in the area on May 13, 1983 in the interest of promoting the area national parks, with emphasis on Natural Bridges National Monument.

E. The annual Utah Alcohol and Drug Seminar will be held at the University of Utah on June 19-24, 1983.

14. The following letter was read in full to the Council:

May 10, 1983

Blanding City Council

RE: City of Blanding - San Juan
Water Conservancy District
Agreement

Dear Councilmen:

I have been instructed to memorialize the last known position of both the San Juan Water Conservancy District and the City of Blanding with respect to the proposed agreement for the storage of water in the Recapture Dam facility.

The District understands that the City desires to solidify arrangements with the Blanding Irrigation Company with respect to obtaining early water in exchange for the City standing later pumping costs to pump the water into the canal system as part of the 500 acre feet purchased.

In my understanding, the last contested point in the agreement involves the City's request that the District excuse \$7500 in obligation to the District in exchange for the District's not having to provide a pump at the pumping facility. The District has indicated that the contract calls for a pump from the contract and so will provide a pump and all necessary facilities to remove the water from the reservoir to the canal. I do not believe there were any other contested point, with the District feeling that the tradeoff on pump or no pump or the excuse of the obligation owed by the City to the District being a consideration that they are not at liberty to negotiate.

The last proposed agreement given to the City has been approved for signing by the District. It is the feeling of the District that Blanding City should have adequate time to make arrangements with the Irrigation Company to discuss this agreement and thus the District will accept the contract under the present terms for a period of six months. Beyond that point conditions may have changed sufficiently so that the contact will need to be renegotiated.

Sincerely,

Craig C. Halls

15. The Administrator presented for Council consideration, the proposed City operating budgets for the fiscal year ending June 30, 1984 for the purposes and respective amounts following:

General Fund	\$2,147,597.00
Debt Service Fund	115,399.00
Capital Projects Fund	1,415,166.00
Electric, Water & Sewer Operating Fund	1,171,780.00

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City hold a Public Hearing June 8, 1983 at 8:00 P.M. at the City Hall for the purpose of considering the final adoption of operating budgets for the City for the fiscal year ending June 30, 1984.

16. Following discussion by the Council concerning possible salary increases for city employees for the ensuing fiscal year, Mayor Bradford, Councilmember Lyman, the Director of Public Works and the City Administrator were appointed to a salary review committee charged with the responsibility of making possible employee salary increase recommendations to the Council for the fiscal operating period ending June 30, 1984.

Meeting adjourned at 11:55 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD MAY 25, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Absent was Councilmember: Bruce N. Black

Also present were: Mike Bradford; Steven Burtenshaw; Gary Bayles; Marsha Keele; Bruce Shumway; Danny Fleming, Water Treatment Plant Supervisor; and Eric Fleming.

1. Prayer was offered by Mayor Bradford.
2. Minutes of City Council meeting May 11, 1983 were approved.
3. A letter from the Native Americans for Better Education was submitted to the Council requesting permission to enter the City limits with their marathon race and have the finish line at the LDS South Chapel.
Motion was made by Councilmember Lyman, seconded by Councilmember Johnson and unanimously carried to allow the Native Americans to have the finish line for their marathon race at the LDS South Chapel at 260 South Main.
4. Applicants for Blanding Police Department patrolman were interviewed individually by the Council in the following order:
 1. Mike Bradford
 2. Steven Burtenshaw
 3. Gary Bayles
5. Mr. Bruce Shumway, representing the City Economic Development Committee, presented to the Council several ideas the committee would like to promote and asked for the Council's guidance and approval.
6. The City Engineer reported the following to the Council:
 - A. Final inspection on Water Improvements Projects, Phase I, Schedule V was completed on May 20, 1983.
 - B. The Sewer Lagoon Treatment Project Number C490201-94 is progressing well.
7. The City Administrator reported the following results of the opinion pole taken on May 24, 1983:

	<u>FOR</u>	<u>OPPOSED</u>	<u>TOTAL</u>
North	103 24.64%	315 75.36%	418
South	61 16.53%	308 83.47%	369
Total	164 20.84%	623 79.16%	787

8. Councilmember Smith discussed with the Council the following items:
 - A. Mr. Brian Stubbs has requested information relative to the utility account status on the Mark Ewart residence at 365 West 100 South. The Administrator advised that Mr. Ewart has agreed to pay \$50 monthly on the due account and that the City has no judgment or lien against the property.
 - B. Members of Blanding Irrigation Company owning land being served by the upper canal and the Soil Conservation Service have indicated an interest in cooperating with Blanding City in the proposed construction of Starvation Reservoir and the associated pipe line.
Mr. Kedric Somerville, Soil Conservation Service Engineer, will prepare proposals relative to this matter for consideration by the pertinent parties.

9. The Council appointed Councilmember Smith to the executive committee that will be meeting with the Blanding Irrigation Company relative to terms and conditions to be included in a proposed operating agreement.

10. Councilmember Osborn informed the Council that the Planning Commission had received resignation from Linda Bird and asked for approval of the appointment of Rose Simpson to the Planning Commission. The Council gave their approval.

11. Mayor Bradford discussed the following items with the Council:

A. The Airport Administration Building should be totally completed prior to occupancy by airport operating personnel and subject to a cost comparison to be completed by the City Engineer, the parking area adjacent to said building should be surfaced either with armor coat or bituminous hot mix application.

B. Mr. Lyman N. Redd desires to rent some curb and gutter forms from the City for use at White Mesa. Council agreed that individuals may rent City curb and gutter forms subject to a proper rental price to be established by the City Engineer.

C. Governor Matheson will be in the community on June 17, 1983 in connection with the formal dedication of the Utah Social Services Youth Detention Center.

D. Mrs. Maxine Christensen has indicated that she will require payment for the right-of-way easement into the area whereon a cultural center is proposed for development on the west edge of the City.

12. Mr. Danny Fleming, Water Treatment Plant Supervisor, reported to the Council the following progress at the Water Treatment Plant:

A. The plant has been switched over so that it is now drawing from Reservoir #4.

B. Mr. Fleming has been keeping a daily log of his activities and progress made at the plant since he started work.

C. The plant is being prepared to be turned on automatic while Mr. Fleming is out of town.

13. Following discussion of the qualifications indicated by the applicants relative to the position of patrolman from interviews as referenced in Item #4 above, a system of evaluation of the applicants awarded points as follows:

Gary Bayles	22
Mike Bradford	48
Steven Burtenshaw	36
Scott Kenneth Meyer	33

Motion was made by Councilmember Johnson, seconded by Councilmember Osborn and unanimously carried that Mr. Mike Bradford be hired to the position of patrolman at a beginning salary of \$1,000 per month plus \$25 per month uniform allowance.

Meeting adjourned at 10:48 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JUNE 8, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws

Absent was Councilmember: Clea S. Johnson

Also present were: Harold Lyman; Rick Lyman; Clint Palmer; Marsha Keele; Hanson Bayles; Nadine Bayles; Kent Tibbitts; Cecelia Tibbitts; Elmer Hurst; Lea Hurst; George Petty; Lela Black; Parley Hurst; Agnes Hurst; Delores Hurst; and Nellie Hurst.

1. Minutes of City Council meeting May 25, 1983 were approved.
2. The Council conducted a public hearing on a petition by Mr. Robert Hosler and Mr. R. Dwight Laws for re-zoning Block 25, Blanding Townsite Survey, Plat A and Blocks 1, 6 and 7, Lyman Addition, Blanding Townsite from R1 to R2.
The following individuals expressed opposition to the proposed re-zoning:
Parley Hurst
Agnes Hurst
Delores Hurst
Nellie Hurst
Elmer Hurst
Lea Hurst
George Petty
Kent Tibbitts
Cecelia Tibbitts

Mr. R. Dwight Laws spoke in favor of the proposed re-zoning.

Following Discussion of the above matter, Mr. Laws withdrew his portion of the petition which included portions of Blocks 1 & 6, Lyman Addition, Blanding Townsite.

The Council decided that more time is needed for consideration of the matter.

3. Mr. R. Dwight Laws, Director of Public Works, proposed to the Council that the Blanding City Ordinances relative to sidewalks read as follows:

"Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that Blanding City Ordinances relative to sidewalks read as follows:

"Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

4. The City Engineer reported to the Council that crews are completing excavation in the parking area and concrete work necessary to completion of the terminal building at the Blanding Airport.

The Engineer also advised that curb and gutter installation will commence during the ensuing week on 1st West Street between 1st North and 2nd South Streets.

5. The Administrator advised that we have received and processed the initial invoice from the construction contractor on the Blanding City Sanitary Sewer Treatment Project Number C490201-94, in the amount of \$215,156; and that work on the project is proceeding satisfactorily.

6. Councilmember Black advised the Council that Mr. Robert Redd of Indian Creek Ranches has filed for an extension of time to complete proposed water improvements in connection with his water filing.

7. Councilmember Lyman informed the Council that Alan Hawkins was requesting vacation and sick leave pay.

Following discussion, motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that Alan Hawkins be paid for eight vacation days and four sick leave days.

8. Mrs. Marsha Keele, representing the Blanding Chamber of Commerce, requested the City Council take formal action authorizing the Blanding Chamber of Commerce to control vending and concessions in connection with their sponsorship of the Frontier Days' activities to be held the first part of July; and that the Mayor and Council cooperate in promotion of such activities inclusive of participation in specific functions.

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City authorize the Blanding Chamber of Commerce to control vending and concessions as the sponsor of Frontier Days celebration; and that the Mayor and City Council cooperate as requested in connection with the carrying out of Frontier Days' activities.

9. The City Administrator informed the Council that Mr. Kenneth McDonald has requested the use of the city mower to mow the weeds and grass in the area west of the San Juan School District Bus Garage as a fire precaution in connection with the proposed fireworks display during the Frontier Days celebration. The Council approved the use of the mower.

10. Councilmember Smith inquired if the City had plans for spraying noxious weeds along the streets. Following discussion, the Council decided that the County should be asked for assistance in spraying noxious weeds.

11. Mr. Harold Lyman of the City Economic Development Committee reviewed for the Council the activities in connection with a tourism workshop recently held in the City. He proposed that a like workshop be scheduled either on July 19 or 26, 1983 specifically for the benefit of, but not limited to, the City Council, City Economic Committee and the Blanding Chamber of Commerce.

The Council requested that Mr. Lyman proceed in scheduling such workshop.

12. Mayor Bradford discussed with the Council possible advantages of the Council taking an official position relative to use of the Edge of the Cedars Museum building by the San Juan Center, College of Eastern Utah, for conducting various classes.

Councilmember Lyman Stated that there is some valid opposition to the use of such building for classroom purposes and suggested that further study of the matter is necessary prior to the Council taking official action.

Motion was made by Councilmember Smith and seconded by Councilmember Black that the City of Blanding go on record as favoring the utilization of currently unused space at the Edge of the Cedars Museum as classroom facilities for the San Juan Center, College of Eastern Utah; and that the Mayor be, and he is hereby, authorized to state such position in behalf of the City of Blanding.

Voting on the motion being as follows:

Those voting "Aye":	Councilmember Black
	Councilmember Osborn
	Councilmember Smith

Those voting "Nay":	Councilmember Lyman
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Whereupon the Mayor declared the motion carried.

13. Mayor Bradford discussed with the Council the wilderness proposal for the Butler Wash and Grand Gulch areas. No official action was taken.

14. Following disucssion of salary increase proposals for city personnel, motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that all fulltime employees be granted a salary increase of \$50 per month plus 2% of their current salary; that the Justice of the Peace receive a salary increase of \$15 per month; and that assignees from the San Juan Center, College of Eastern Utah, be granted a wage increase of \$.65 per hour.

15. Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the property tax mill levy for the current tax year be set at 25.09 Mills.

16. The Council conducted a public hearing relative to the proposed City operating budget for fiscal year 1984. No public comments were received.

Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1983-19

A RESOLUTION PROVIDING FOR THE APPROPRIATION
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING
DURING THE FISCAL YEAR ENDING JUNE 30, 1984.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding for the Fiscal Year ending June 30, 1984, the amounts from the respective funds and for the purposes as follows:

<u>FUND</u>	<u>AMOUNT</u>
General Fund	\$2,218,511.00
Debt Service Fund	115,399.00
Electric, Water and Sewer Operating Fund	1,313,600.00
Capital Projects Fund	1,415,166.00

BE IT FURTHER RESOLVED that copies of the foregoing budget details be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 8th day of June, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

17. The Director of Public Works reported that installation of the sprinkling system at the Blanding Recreation Complex is nearing completion and that the City is currently advertizing for proposals to seed the area utilizing a hydro-seeding method.

Meeting adjourned at 11:30 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JUNE 22, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Absent was Councilmember: Don E. Smith

Also present were: Harold Lyman; Mr. & Mrs. Larry Joe; Jim & Lynne Allred; Marsha Keele; Rhea Laws.

1. Prayer was offered by Councilmember Johnson.
2. Minutes of City Council meeting held June 8, 1983 were approved.
3. Councilmember Black discussed the following items with the Council:
 - A. Councilmember Black expressed his concern about the amount being paid out each month for health insurance with Blue Cross Blue Shield for City employees. Following discussion, the Council decided that the City Administrator should look into the possibility of different health insurance.
 - B. Councilmember Black reported to the Council that the water flow into Reservoir #3 from Dusett Draw is approximately one gallon per minute at this date.
 - C. Councilmember Black inquired as to the possibility of the City of Blanding participating in the installation of a water line at the 100 South to 200 South block on Main Street so that grass and shrubs might be maintained between the sidewalk and curb.

The Council determined that further study is necessary prior to establishing a precedent in matters of this nature.
4. Mr. Jim Allred, representing the Pioneer Estates residents, expressed to the Council his concern about the lack of water pressure to the homes in Pioneer Estates.

The City Engineer explained what plans had been made to help correct this problem.

Following discussion, the Council decided that this should be looked into immediately and the work started as soon as possible.
5. Mr. Philip Palmer, City Engineer, reported to the Council the following items:
 - A. The Sanitary Sewer Treatment Facility Project is progressing well; excavation is nearing completion; the electric transmission line poles are in place; the outfall line diversion has been commenced; it appears the pickup truck to be furnished as part of the project will not be available prior to project completion.
 - B. City personnel are working to divert water through the Blanding tunnel from the Indian Creek drainage. Approximately 5 c.f.s. were diverted into the tunnel from the west fork and the tunnel portal has been cleaned. Work will continue on the diversion of water from the east Indian Creek drainage during the current week.
 - C. Engineering consultants on the Indian Creek/Johnson Creek project have issued notice to the bonding company that their contractor for project completion must be selected at an early date as the schedule for restarting the project is July 11, 1983.
 - D. Mr. Clyde Hunt has requested consideration of constructing the sidewalk on 8th North Street between 3rd and 4th West Street and abutting his north property line, so that the sidewalk is adjacent to the curb, for the purpose of salvaging landscaping which he has caused to be done within the street right-of-way. The Council indicated that subject to there being adequate right-of-way remaining for traffic purposes the requested consideration may be granted.

E. The following proposals for hydro-seeding of the athletic fields were read to the Council:

1. Northern Utah Landscape	\$13,590.72
2. Roberts Landscape	14,000.00
3. Williams New Lawns	12,048.70
4. Micro-Mulch	9,801.00
5. Raintree Landscape	12,068.00

Mr. Palmer recommended that the Council accept the Micro-Mulch proposal.

Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the City accept the proposal from Micro-Mulch in the amount of \$9,801.00 for the hydro-seeding of the athletic fields.

6. The Council discussed voluntary contributions for the development of the park and playground being developed southwest of the intersection of 8th North Street and 2nd West Street. Councilmember Black agreed that he would obtain a list of names of those individuals desiring to make contributions to the park development and an attempt will be made to avail of funds in time to take advantage of the hydro-seeding price bid by Micro-Mulch as recorded in Item 5E above.

7. Mr. Harold Lyman reported the following progress of the Economic Development Committee to the Council:

- A. The Tourism Workshop will be held July 19, 1983 at 8:00 P.M. at the City Hall.
- B. June 1, 1983 San Juan County was designated as Labor Surplus Area which will make them eligible for preference in bidding on Federal Procurement Contracts.
- C. Members of the Economic Development Committee have been given the following specific assignments:
 - 1. Mr. Bruce Shumway - expansion of San Juan Center
 - 2. Mrs. Marsha Keele - Cultural Center development
 - 3. Mr. Harold Lyman - Archaeological Field School
 - 4. Mr. Raymond Lyman - Tourism
- D. A City clean-up day has been scheduled for July 25, 1983 commencing at 8:00 a.m. to be known as the First Annual Main Street Clean-Up, in connection with which the Mayor was presented a T-shirt and a speaker horn for promoting the event. Each member of the City Council will supervise the cleanup efforts on various blocks. The area Boy Scout troops will be assisting as troop service projects. The work will commence at 5th South and run to 1st North Street and at 2nd North on Highway 163 and run to Main Street. Hot dogs and drinks will be furnished at the completion of the project.

8. Following request by Mrs. Marsha Keele, the Council agreed that the City Hall may be utilized by the Chamber of Commerce in judging their beard contest on July 1, 1983 at 4:00 p.m.

9. The Mayor reported that the agreement between Monticello City/Blue Mountain Irrigation Company/ San Juan County Water Conservancy District anticipates that at the end of the 40 year contract period Monticello City will own a portion of the Monticello Reservoir Project. Perhaps the City of Blanding should reconsider an agreement with the San Juan County Water Conservancy District relative to the Recapture Reservoir Project if the City could become partial project owner at the end of such contract period.

10. Mayor Bradford advised the Council that in the matter of the Community Development Block Grant Funds being allocated by the Utah Department of Economic Development for the feasibility study of the proposed Halls Crossing Recreation Community, a contract and agreement will be required between the City of Blanding and Utah State University wherein the university will be retained to complete such study.

11. Mayor Bradford requested that the following clarification of the minutes of City Council meeting held June 8, 1983 be included herein:

"Room utilization of the Edge of the Cedars Museum by the San Juan Center, College of Eastern Utah, will be consistent with the purposes of the museum and particularly as a base for an archaeological field school."

12. Council requested that matter of rezoning of Block 25, Blanding Townsite Survey, Plat A and Blocks 1, 6 and 7, Lyman Addition, Blanding Townsite from R-1 to R-2 be handled at the regular City Council meeting scheduled for July 13, 1983.

Meeting adjourned at 9:47 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD July 13, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were:

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer

Also present were: Craig Halls; Alan Haun; Paul Day; Kermit Blake; Robert Hosler; Marsha Keele; Bruce Shumway; Larel Reed; Marva Laws.

The meeting was conducted by Francis M. Lyman, Mayor Pro Tempore.

1. Minutes of City Council meeting held June 22, 1983 were approved.
2. Following discussion of the rezoning of Block 25, Blanding Townsite Survey, Plat A and East $\frac{1}{2}$ Blocks 6 & 7, Lyman Addition from R-1 to R-2, motion was made by Councilmember Smith and seconded by Councilmember Johnson that the above described property be rezoned from R-1 to R-2.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Smith Councilmember Johnson
Those Voting "Nay":	Councilmember Black

Inasmuch as a majority of the City Council did not vote for or against the motion, the matter will either be dropped or deferred to a subsequent Council meeting as the Council may desire.

3. The City Engineer reported to the Council the following items:

- A. Through the aid of sand bagging, water is flowing through the tunnel from Indian Creek.
- B. The bonding agent for the Johnson Creek/Indian Creek Project has not decided on a contractor to finish the project.
- C. There have been several complaints of low water pressure since the installation of the pressure zone valves but it is being monitored and records kept so that any problems may be corrected.

4. The Recorder reported the following:

- A. The Utah Department of Employment Security has formally ruled that Mr. Gerald M. Black, former water and sewer departments supervisor, is ineligible for unemployment compensation.
- B. The City Property Tax Levy Summary sheets have been received and the City mill levy computed at 25.09 mills in accordance with the Council action in the adoption of the fiscal year 1984 operating budget.

5. Councilmember Black raised the question of whether or not the City can legally financially support another tax supported institution, specifically, make contributions to the College of Eastern Utah, San Juan Center. The Recorder advised that the City may make donations to such entities but is statutorily prohibited from levying taxes or specifically budgeting for their operation.

6. Councilmember Johnson expressed to the Council appreciation from Mrs. Clyde Hunt for consideration of her landscaping on City property in planning for the curb and gutter north of her property between 2nd and 3rd West Streets.

7. Alan Haun, representing the Blanding Lions Club, requested of the Council permission to develop or assist in development of a service building to be utilized in connection with the Blanding Recreation Complex facilities; such building would serve as a place where food could be prepared for picnics, outings, reunions, etc. as well as a concession center. The Engineer advised that all developments at the Blanding Recreation Complex must be approved by the participating agencies in such

development; the matter of building control will have to be given consideration by legal counsel.

8. Mr. Paul Day expressed to the Council his concern about the water pressure in the area of 800 North and 300 West on July 12, 1983. The City Engineer explained that because of complications involving automatic valves at the water treatment plant, the storage reservoir had gone dry. The problem has now been taken care of.

9. Councilmember Black inquired of the City Engineer what the finished width will be of the street being constructed south of the San Juan Nursing Home between 2nd and 3rd West Streets. The Engineer said that the street surface will be 52' from back-of-curb to back-of-curb.

Meeting adjourned at 10:01 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD JULY 27, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford
City Councilmembers: Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith
City Administrator: Francis D. Nielson
Deputy Recorder: Karalee Austin
City Engineer: Philip L. Palmer

Absent was Councilmember: Bruce N. Black

Also present were: Kermit Blake; Virginia Blake; Lynn Lee; Robert Hosler;
JoAnn Hosler; Marsha Keele; Harold Lyman; Lyle Johnson; Rick Lyman.

1. Prayer was offered by Councilmember Osborn.
2. Item #2 of the minutes of 7/13/83 were revised to include under those voting "Nay" Councilmember Lyman, whereupon the minutes of 7/13/83 were approved.
3. Mr. Lyle N. Johnson requested the Council give consideration to declaring 1st West Street from 500 North to 800 North a collector street and that the same be made eligible for the current curb, gutter and sidewalk program. Following discussion of the special terms and conditions under which said street was constructed, the Council agreed that the matter should be deferred to the next regularly scheduled Council meeting at which time the engineer will present the information pertinent to the matter as well as review the current street construction program.
4. Following an offer by Mr. Lyle N. Johnson to install the underground wire necessary for a street light connection at 600 North 100 West Street, motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City authorize the installation of a street light at 600 North 100 West Street.
5. The Council discussed with citizens present at the meeting a request by Mr. Robert Hosler for rezoning of Block 25, Blanding Townsite Survey, Plat A and East $\frac{1}{2}$ Blocks 6 & 7, Lyman Addition from R-1 to R-2. Motion for adoption of the following resolution was made by Councilmember Osborn and seconded by Councilmember Johnson:

RESOLUTION NO. 1983-20

A RESOLUTION AUTHORIZING REZONING
AN AREA WITHIN THE CITY OF BLANDING

BE IT RESOLVED by the City Council of the City of Blanding, Utah that Block 25, Blanding Townsite Survey, Plat A and East $\frac{1}{2}$ of Blocks 6 & 7, Lyman Addition be rezoned from Residential R-1 to Residential R-2 and that the official zoning map of the City be revised to reflect the same.

PASSED, ADOPTED and APPROVED this 27th day of July, 1983.

ATTEST:

Cleal Z. Bradford
Mayor

Francis D. Nielson
Recorder

Voting on the motion was as follows:

Those voting "Aye": Councilmember Johnson
Councilmember Osborn
Councilmember Smith
Those voting "Nay": Councilmember Lyman

Whereupon Mayor Bradford declared the motion carried.

6. Mr. Lynn Lee, Director San Juan Center, College of Eastern Utah, discussed with the Council his interpretation of the meaning of Council action in matters relative to the San Juan Center, College of Eastern Utah, indicating that full cooperation and support of the San Juan Center appeared to be lacking. Council members indicated to Mr. Lee that the Center does have their support but that they have a wide range of programs, the support of which is necessary to the general welfare of the citizenry.

7. The City Engineer discussed with and reported to the Council the following items:

A. Copies of the Blanding City Zoning Ordinance are available to members of the Council and the Commission and committees working on planning and zoning matters.

B. To date a contractor has not been selected by the Bonding Company for Schedules I & II of the City Water Improvement Program, Phase I.

C. At the Mayor's request, the Engineer agreed to have a priority listing of current curb and gutter projects.

D. Progress has been stalled on curb and gutter program because of the unavailability of concrete contractors.

8. The City Administrator reported a discussion with Mr. Robert Redd of Indian Creek Ranches wherein Mr. Redd indicated he had not received a letter from the City offering to purchase water from the Indian Creek drainage and that he would like a copy of such letter to which he would formally respond. Mr. Redd indicated during the discussion that he currently has adequate water for irrigation purposes at Indian Creek Ranch and that Blanding City and Blanding Irrigation Company may continue to utilize the water currently flowing to them from the Indian Creek drainage.

9. Councilmember Johnson reported to and discussed with the Council the following items:

A. Congressman Howard Nielson will be in San Juan County during the first part of August.

B. A committee of citizens interested in the development of the park in the area of 100 West and 800 North Street were desirous of knowing amount of funds available, dimensions of the area available, materials on hand and development planning done to date on project. The next scheduled meeting of the Park Committee is 1:00 P.M., August 1, 1983 at Councilmember Johnson's home.

10. Councilmember Osborn, representing the City Economic and Development Committee and the Chamber of Commerce, requested that the City crews be scheduled to clean out the gutters on Main Street every two weeks. The City Engineer responded that the State was in charge of Main Street maintenance and that contact would have to be made with Sterling Davis in Price, Utah.

Council agreed that inasmuch as the State is generally unavailable for Main Street maintenance, City crews should respond in accordance to the request.

11. Mr. Harold Lyman expressed appreciation to the Council for their help and support of the First Annual Main Street Clean-Up Day and the Tourism Workshop.

12. Councilmember Smith discussed with the Council the possibility of availing of natural gas in the area for use in fueling a proposed electric generating plant. The Council agreed that the matter should be pursued further by Councilmember Smith and the Administrator.

13. The Administrator advised that no further information has been forthcoming from the Soil Conservation Service relative to a proposed irrigation system for use by the Blanding Irrigation Company Upper Ditch shareholders; that he will make contact with SCS personnel and determine what, if any, work has been done on the matter.

14. Mayor Bradford reported to the Council that the agreement between Monticello City and the San Juan County Water Conservancy District anticipates that following payment to the Conservation District by Monticello City of the amount assessed by the District in connection with participation in the Monticello Reservoir, Monticello City will own a proportionate share of such reservoir. This being the case, any agreement between Blanding City and the San Juan County Water Conservancy District relative to Blanding participating in payment for the Recapture Reservoir and use of water therein impounded, should entitle Blanding City to proportionate ownership in such Recapture Reservoir.

Mayor Bradford agreed to follow up on this matter.

15. Mayor Bradford asked if the Sales Tax matter between San Juan County and the City of Blanding had been resolved and necessary information furnished the Utah State Tax Commission. The Administrator advised that Commissioner Black of San Juan County has delivered to the State Tax Commission the information necessary to a settlement between Blanding City and San Juan County; that matter between the City of Blanding and the City of Monticello must await resolution pending receipt of sales information from the businesses affected.

Meeting adjourned at 9:58 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD AUGUST 24, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black
	Francis M. Lyman
	J. Carl Osborn
	Don E. Smith

City Administrator:	Francis D. Nielson
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Deputy Recorder:	Karalee Austin
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Absent was Councilmember:	Clea S. Johnson
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Also present were; Bill Osborn; Bishop Watkins; Lloyd Watkins; Harley Watkins; Linda Winkley.

1. Prayer was offered by Francis D. Nielson.
2. Minutes of City Council meeting held July 27, 1983 were approved.
3. The following ordinance was read in full to the Council:

ORDINANCE NO. 1983-1

AN ORDINANCE RELATING TO DRIVING WHILE INTOXICATED OR UNDER THE INFLUENCE OF DRUGS, ESTABLISHING STANDARDS FOR DETERMINING INTOXICATION OR IMPAIRMENT; ESTABLISHING PROCEDURES TO TAKE LICENSES AND SETTING MINIMUM BLOOD-ALCOHOL CONTENT.

Be it ordained by the City Council of the City of Blanding, Utah:

Section 1. 1.1 It is unlawful and punishable as provided in this section for any person with a blood alcohol content of .08% or greater by weight, or who is under the influence of alcohol, or any drug or the combined influence of alcohol and any drug to a degree which renders the person incapable of safely driving a vehicle, to drive or be in actual physical control of a vehicle within this municipality. The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug does not constitute a defense against any charge of violating this section.

1.2 Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred cubic centimeters of blood.

1.3 Every person who is convicted the first time of a violation of subsection (1) of this section shall be punished by imprisonment for not less than 60 days nor more than six months, or by a fine of \$299, or by both such fine and imprisonment; except that if the person has inflicted a bodily injury upon another as a proximate result of having operated the vehicle in a negligent manner, he shall be punished by imprisonment in the county jail for not more than one year, and, in the discretion of the court, by fine of not more than \$1,000. For the purpose of this section, the standard of negligence is that of simple negligence, the failure to exercise that degree of care which ordinarily reasonable and prudent persons exercise under like or similar circumstances.

1.4 In addition to the penalties provided for in subsection 1.3, the court shall, upon a first conviction, impose a mandatory jail sentence of not less than 48 consecutive hours nor more than 10 days with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work program for not less than two nor more than 10 days and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility.

1.5 Upon a second conviction within five years after a first conviction under this section, the court shall, in addition to the penalties provided for in subsection 1.3, impose a mandatory jail sentence of not less than 48 consecutive hours nor more than 10 days with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work program for not less than 10 nor more than 30 days and, in addition to the jail sentence or the work in the community-service work program, order the person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility and the court may, in its discretion, order the person to obtain treatment at an alcohol rehabilitation facility. Upon a subsequent conviction within five years after a second conviction under this section, the court shall, in addition to the penalties provided for in subsection 1.3, impose a mandatory jail sentence of not less than 30 nor more than 90 days with emphasis on serving in the drunk tank of the jail, or require the person to work in a community-service work project for not less than 30 nor more than 90 days and, in addition to the jail sentence or work in the community-service work program, order the person to obtain treatment at an alcohol rehabilitation facility. No portion of any sentence imposed under subsection 1.3 shall be suspended and the convicted person shall not be eligible for parole or probation until such time as any sentence imposed under this section has been served.

1953, if the previous suspension was based on the same occurrence which the record of conviction is based upon. (See 41-6-44, UCA)

Section 2. The provisions of sections 41-6-44.3, 41-6-44.5 and 41-6-44.8, Utah Code Annotated 1953, hereby are adopted by reference.

Section 3. 3.1 Any person operating a motor vehicle in this municipality shall be deemed to have given his consent to a chemical test or tests of his breath, blood, or urine for the purpose of determining whether he was driving or in actual physical control of a motor vehicle while having a blood alcohol content statutorily prohibited, or while under the influence of alcohol, any drug, or combination of alcohol and any drug as detailed in section 1 so long as the test is or tests are administered at the direction of a peace officer having grounds to believe that person to have been driving or in actual physical control of a motor vehicle while having a blood alcohol, content statutorily prohibited, or while under the influence of alcohol, any drug, or combination of alcohol and any drug as detailed in section 1. A peace officer shall determine which of the aforesaid tests shall be administered.

No person who has been requested under this section to submit to a chemical test or tests of his breath, blood, or urine, shall have the right to select the test or tests to be administered. The failure or inability of a peace officer to arrange for any specific test is not a defense with regard to taking a test requested by a peace officer and shall not be a defense in any criminal, civil or administrative proceeding resulting from a person's refusal to submit to the requested test or tests.

3.2 If the person has been placed under arrest and has thereafter been requested by a peace officer to submit to any one or more of the chemical tests provided for in subsection 3.1 of this section and refuses to submit to the chemical test or tests, the peace officer requesting the test or tests that a refusal to submit to the test or tests can result in revocation of his license to operate a motor vehicle. Following the warning, unless the person immediately requests the chemical test or tests as offered by a peace officer be administered, no test shall be given and a peace officer shall submit to the department a sworn report, of public safety within five days after the date of the arrest, that he had grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle while having a blood alcohol content statutorily prohibited or while under the influence of alcohol or any drug or combination of alcohol and any drug as detailed in section 1 and that the person had refused to submit to a chemical test or tests as set forth in subsection 3.1.

3.3 Any person who is dead, unconscious, or in any other condition rendering him incapable of refusal to submit to any such chemical test or tests shall be deemed not to have withdrawn the consent provided for in subsection 3.1 of this section, and the test or tests may be administered whether such person has been arrested or not.

3.4 Upon the request of the person who was tested, the results of such test or tests shall be made available to him.

3.5 Only a physician, registered nurse, practical nurse or person authorized under subsection 26-1-30 (19), Utah Code Annotated 1953, acting at the request of a peace officer can withdraw blood for the purpose of determining the alcoholic or drug content therein. This limitation shall not apply to the taking of a urine or breath specimen. Any physician, registered nurse, practical nurse or person authorized under subsection 26-1-30 (19), Utah Code Annotated 1953, who, at the direction of a peace officer, draws a sample of blood from any person whom a peace officer has reason to believe is driving in violation of this chapter, or hospital or medical facility at which such sample is drawn, shall be immune from any civil or criminal liability arising therefrom, provided such test is administered according to standard medical practice.

Probation or parole resulting from a conviction for a violation of this section shall not be terminated and the department of public safety shall not reinstate any license suspended or revoked as a result of such conviction, if it is a second or subsequent such conviction within five years, until and unless the convicted person has furnished evidence satisfactory to the department that all fines and fees, including fees for restitution, and rehabilitation costs, assessed against the person, have been paid.

1.6 The provisions in subsections 1.4 and 1.5 that require a sentencing court to order a convicted person to participate in an assessment and educational series at a licensed alcohol rehabilitation facility, obtain, in the discretion of the court, treatment at an alcohol rehabilitation facility, or obtain, mandatorily, treatment at an alcohol rehabilitation facility, or do any combination of those things, apply to a conviction for a violation of section 5 that qualifies as a prior offense under subsection 1.7, so as to require the court to render the same order regarding education or treatment at an alcohol rehabilitation facility, or both, in connection with a first, second, or subsequent conviction under section 5 that qualifies as a prior offense under subsection 1.7, as he would render in connection with applying respectively, the first, second, or subsequent conviction requirements of subsections 1.4 and 1.5. For purposes of determining whether a conviction under section 5 which qualified as a prior conviction under subsection 1.7, is a first, second, or subsequent conviction under this subsection, a previous conviction under either section 1 or 5 is deemed a prior conviction. Any alcohol rehabilitation program and any community-based or other education program provided for in this section must be approved by the department of social services.

1.7.1 When the prosecution agrees to a plea of guilty or no contest to a charge of a violation of section 5 in satisfaction of, or as a substitute for, an original charge of a violation of this section, the prosecution shall state for the record a factual basis for the plea, including whether or not there had been consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense. The statement shall be an offer of proof of the facts which show whether or not there was consumption of alcohol or drugs, or a combination of both, by the defendant, in connection with the offense.

1.7.2 The court shall advise the defendant before accepting the plea offered under this subsection of the consequences of a violation of section 5 as follows: If the court accepts the defendant's plea of guilty or no contest to a charge of violating section 5, and the prosecutor states for the record that there was consumption of alcohol or drugs, or a combination of both, by the defendant in connection with the offense, the resulting conviction shall be a prior offense for the purposes of subsection 1.5 of this.

1.7.3 The court shall notify the department of public safety of each conviction of section 5 which shall be a prior offense for the purposes of subsection 1.5.

1.8 A peace officer may, without a warrant, arrest a person for a violation of this section when the violation is coupled with an accident or collision in which the person is involved and when the violation has, in fact, been committed, although not in his presence, if the officer has reasonable cause to believe that the violation was committed by the person.

1.9 The department of public safety shall suspend for a period of 90 days the operator's license of any person convicted for the first time under subsection 1.1 of this section, and shall revoke for one year the license of any person otherwise convicted under this section, except that the department may subtract from any suspension period the number of days for which a license was previously suspended under section 41-2-19.6, Utah Code Annotated

or more of sections 1, 3, or 8 shall be punished by a fine of at least \$299 but not more than \$1000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Section 8. 8.1 Criminal homicide constitutes automobile homicide if the actor, while under the influence of alcohol, a controlled substance, or any drug, to a degree which renders the actor incapable of safely driving a vehicle, causes the death of another by operating a motor vehicle in a negligent manner. For the purposes of this section, the standard of negligence shall be that of simple negligence, the failure to exercise that degree of care which ordinarily reasonable and prudent persons exercise under like or similar circumstance.

8.2 Any chemical test administered on a defendant with his consent or after his arrest under this section, whether with or against his consent, shall be admissible in accordance with the rules of evidence.

8.3 For purposes of this section, a motor vehicle constitutes any self-propelled vehicle and includes, but is not limited to, any automobile, truck, van, motorcycle, train, engine, watercraft, or aircraft.

8.4 Automobile homicide is a felony of the third degree.

Section 9. All ordinances inconsistent with the provisions of this ordinance hereby are repealed. Any offense committed prior to the effective date of this code shall be governed by the ordinances of this municipality existing at the time of commission thereof.

Section 10. This provisions of this ordinance are severable.

Section 11. This ordinance shall take effect immediately on posting.

Passed this _____ day of _____, 1983 by the City Council of the City of Blanding, Utah.



Mayor

ATTEST:

Recorder

3.6 The person to be tested may, at his own expense, have a physician of his own choosing administer a chemical test in addition to the test or tests administered at the direction of the peace officer. The failure or inability to obtain such additional test shall not affect admissibility of the results of the test or tests taken at the direction of a peace officer, nor preclude nor delay the test or tests to be taken at the direction of a peace officer. Such additional test shall be subsequent to the test or tests administered at the direction of a peace officer.

3.7 For the purpose of determining whether to submit to a chemical test or tests, the person to be tested shall not have the right to consult an attorney nor shall such a person be permitted to have an attorney, physician or other person present as a condition for the taking of any test.

3.8 If a person under arrest refuses to submit to a chemical test or tests under the provisions of this section, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while under the influence of alcohol or any drug or combination of alcohol and any drug. (See 41-6-44.10, UCA)

Section 4. It is unlawful for any person who is under the influence of intoxicating liquor or any narcotic drugs to drive or be in actual physical control of any recreation vehicle within this municipality. Violators will be subject to all procedures, implied consent, presumptions and punishments, provisions of sections 4 and 3 except subsection 3.3. It is also unlawful and punishable under subsection 1.3 for any person, after being placed under arrest for violation of this section, to refuse to submit to any one of the chemical tests provided. (See 41-22-14, UCA)

Section 5. 5.1 Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

5.2 Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not less than five days nor more than six months or by a fine of not less than \$25 nor more than \$299, or by both such fines and imprisonment. On a second or subsequent conviction, the person shall be punished by imprisonment for not less than ten days nor more than six months, or by a fine of not less than \$50 nor more than \$299 or by both such fine and imprisonment. (See 41-6-45, UCA)

Section 6. 6.1 In each case where a defendant is convicted of violating section 1 or a criminal prohibition that he was charged with violating as a result of a plea bargain after having been originally charged with violating section 1, the court, including justice of the peace courts, shall, at the time of sentencing, assess up to \$150 for a first conviction and up to \$299 for each subsequent conviction, above any fine imposed, and to be collected by the court or an entity appointed by the court, for the purpose of funding programs described in section 63-43-11, Utah Code Annotated 1953.

6.2 In addition to the fees provided for in subsection 1, the court shall impose against such a defendant further assessments, above any fine imposed, and to be collected by the court or an entity appointed by the court, to fully compensate agencies which treat the defendant for their costs. (See 63-43-1, UCA)

Section 7. A person whose conviction under 41-2-28, Utah Code Annotated 1953, is based on his driving while his operator's or chauffeur's license is suspended or revoked for a violation of section 1, 3, or 8 or a criminal prohibition that the person was charged with violating as a result of a plea bargain after having been originally charged with violating one

Motion for adoption of the foregoing ordinance was made by Councilmember Lyman and seconded by Councilmember Smith. Voting on the motion being as follows:

Those voting "Aye": Councilmember Black
Councilmember Lyman
Councilmember Osborn
Councilmember Smith

Those voting "Nay": None
Absent: Councilmember Johnson

constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried and Ordinance No. 1983-1 duly adopted and approved.

4. Daniel A. Fleming, Water and Sewer System Supervisor, reported the following to the Council:

A. The Contractor is proceeding on completion of Water Improvement Projects, Schedules I & II in accordance with contractual arrangements made between him and the subject project bonding company.

B. The Sewer Treatment Facilities Project construction is on schedule. Excavation is nearing completion, the wrap-wrap is in place on the primary cell, the outfall line changes are complete and the footings for the building have been poured.

C. The pressure control stations are being monitored daily and pressures appear to be quite stable currently.

D. Utah State Wildlife Services is anticipating killing the fish in Reservoir #3 by chemical treatment means because the habitat is poor for the bass and they are taking what food is available for trout. The Department will advise the City prior to their treating the reservoir.

5. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1983-21

A RESOLUTION AUTHORIZING EXECUTION
OF AN ELECTRIC LINE RIGHT-OF-WAY
EASEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain right-of-way easement granting to Utah Power and Light Company authority to realign a 69,000 volt transmission line in the area of the Blanding City sewer lagoons treatment facilities; that a copy of such resolution be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 24th day of August, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

6. The Administrator advised the Council that the contractor at the San Juan Nursing Home construction project is now ready to commence curb and gutter construction, subject to establishment of grades and completion of the necessary excavation and/or landfill. San Juan County Road Department has been advised that their equipment may be required in this matter and they have indicated they will have their equipment available by August 29, 1983.

7. The Administrator presented financial statements on the City General Fund and Electric, Water and Sewer Fund.

8. The Council discussed the drainage problem on 1st East Street south of 5th South Street.

9. Councilmember Smith advised the Council that the Church of Jesus Christ of Latter-Day Saints and the San Juan School District do not anticipate reimbursement of costs incurred in the construction of 1st West Street from approximately

6th North to 8th North by any adjacent property owners as they develop their property. The Council agreed that the City street development policy will prevail on 1st West Street as above described; that all quad streets within the City street system shall be developed under such policy.

10. Councilmember Black inquired as to the status of the Main Street curb and gutter replacement program to be carried out by the Utah Department of Highways. Inasmuch as the City has received no further information from the State relative to the matter, Mr. Sterling Davis, District Engineer, Utah Department of Highways, will be requested to attend a future City Council meeting to discuss this project as well as other matters which might affect the City.

11. Councilmember Osborn discussed with the Council the renaming of what is now called the Blanding Recreation Complex. The Council concluded that the individual ball fields and parks in the complex might appropriately be given names honoring deserving citizens.

Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the large ball field in the Blanding Recreation Complex be named "Lyle N. Johnson Field".

12. Mayor Bradford reported that the San Juan Health Council will hold a public hearing August 30, 1983 at 6:30 o'clock P.M. in the Blanding City Hall, relative to the proposed enlargement of the San Juan Nursing Home.

13. Mayor Bradford advised the Council that the Utah Department of Community Affairs has prepared an agreement for execution by the City authorizing Community Development Block Grant Funds to be expended for engineering on the Starvation Reservoir and for funding a study relative to the feasibility of establishing the recreation community at Halls Crossing at Lake Powell.

Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1983-22

A RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT WITH THE UTAH
DEPARTMENT OF COMMUNITY AFFAIRS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the Utah Department of Community Affairs, wherein the City of Blanding will receive grant funds from the Department for payment of engineering costs relative to the proposed Starvation Reservoir project and for funding the study of a recreation community development at Halls Crossing on Lake Powell; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 24th day of August, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

14. The Council discussed a proposed agreement with the San Juan County Water Conservancy District relative to the City purchasing water from the District. The Recorder was requested to revise Items 6 and 8 of such agreement for consideration at the next regularly scheduled Council meeting.

Meeting adjourned at 9:57 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD SEPTEMBER 14, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws
Absent was Councilmember:	Clea S. Johnson

Also present were: David Lyman; Joe Lyman; Alan Haun; Rick Lyman; Jon L. Hunt.

1. Minutes of City Council meeting held August 24, 1983 were approved.

2. Mr. Alan Haun, representative for the Lions Club, spoke to the Council concerning the proposal for a building at the Recreation Complex. Mr. Dwight Laws indicated that the Recreation Committee had presented plans to Mr. Scott O'Neal for the making of blueprints.

It was suggested that the Recreation Committee and the Lions Club meet together, combine their ideas and efforts and then present their information to the Council at their next regularly scheduled meeting.

3. Mr. Dwight Laws informed the Council that the street crew is continuing necessary patching work on streets in town, several water leaks have been located and fixed and the water treatment plant is back on mountain water.

4. Following discussion with Mr. Joseph F. Lyman relative to 2nd East Street between U.S. Highway 191 and 1st North Street, motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that:

1. 1st East Street between U.S. Highway 191 and 1st North Street be developed to a 70' width.
2. The remaining 15' on each side of said 70' wide street currently in City ownership be appraised by the City and offered for sale to the adjacent property owners.
3. At the earliest possible date, the City Engineer shall complete the location of such 70' wide street to permit adjacent property owners to proceed with development plans.
4. Said street shall be given priority consideration in the next scheduling of the street development program to be furnished to San Juan County relative to the Blanding street construction and maintenance program.

5. The Engineer reported the following to the Council:

A. Mr. Gene Orr has requested the rezoning of the area of his Auto Body and Glass Shop on south U.S. Highway 191 from Commercial to Industrial because of Utah State requirements. The Zoning Board of Adjustments voted in favor of granting a required variance to Mr. Orr to permit consideration of rezoning an area smaller than the amount required under the zoning ordinance. The Council agreed that the rezoning process could be commenced.

B. Mrs. Kathy Patterson and Mr. Al Mark feel that the drainage culvert south of 5th South Street on 1st East Street should be extended the length of their property.

C. Final inspection by the Forest Service on the Water Improvements, Phase I, Schedules I & II Project was held on August 9, 1983 and the project was completed on August 10, 1983. Final inspection on such project is scheduled for September 22, 1983.

D. The upper canal is almost dry enough so that the contractor will be able to finish the Water Improvements, Phase I, Schedule III Project.

E. Sewer Treatment Facilities Project is progressing satisfactorily. Utah Power and Light Company is relocating the high voltage power lines which crosses cell #1. The contractor will commence installation of out-fall line required inside the corporate limits of the City during the ensuing week.

6. The Administrator reported the following:

A. On September 13, 1983, Mr. Richard Merrill of the Utah Department of Community Affairs completed an audit check of Blanding City projects involving Community Development Block Grant Funds and found the City has acted properly to date relative to such matter. Mr. Merrill agreed that the City may fulfill the Davis-Bacon Act requirements under the CDBG Contract by proper advertisement of Water Improvements Project, Phase I, Schedule VI, which anticipates water distribution system improvements.

B. Horrocks Engineers, Inc., consultants on the Water Improvements Projects, Phase I, have inquired as to whether or not the City will expect to claim liquidated damages on Schedules I & II of such project as the scheduled completion date was August 19, 1983. The Engineers were advised that the City of Blanding delayed the project re-start to allow water run-off completion and to avoid conflict with the Blanding Irrigation Company and consequently could not justifiably claim damages.

Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the City of Blanding shall not attempt to collect liquidated damages on Water Improvements Project, Phase I, Schedules I & II.

C. The City must make a decision in the near future relative to the scope of Schedule VI of Water Improvements Project, Phase I.

The Council discussed the possibility of extending a water distribution line to the Blanding Airport and various water distribution system improvements throughout the City.

Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that preliminary engineering should be completed on a possible water line extension to the Blanding Airport and other needed distribution system improvements within the City to determine costs of such proposed improvements, for presentation at the next regularly scheduled council meeting.

7. The City Administrator read the following letter in full to the Council:

Blanding, Utah
September 14, 1983

Dear Mayor Bradford and Members of the Blanding City Council:

I had planned on attending City Council meeting this evening but realize there is no way in which I could personally express my thanks for the love and concern each of you have shown me and the gratitude the family and I feel for the honor you have bestowed on Lyle in naming the large ball field for him.

Lyle's dream was to have a nice recreational complex in Blanding. We now have a beginning and he was happy to share in that beginning.

Because of the many years he spent sponsoring and following the teams, his love of the game and a desire for a nice complex, I can think of no other way in which he could be honored which would have made him happier.

My sincere thanks to you.

Clea

8. Councilmember Osborn informed the Council Mrs. Pat Seltzer had been appointed a member of the Planning Commission in February, 1983 but such appointment had never received the advise and consent of the City Council.

Following limited discussion of the matter, the appointment of Mrs. Pat Seltzer to the Planning Commission for a 4-year period commencing retroactively to February 1, 1983, received the advise and consent of the Council.

9. Mayor Bradford reported to the Council the following:

A. Under "Project Bold" the State of Utah has proposed to utilize land received from the U.S. Government to complete a block of land which will give ownership to the State of Utah of all land not in private ownership within a 5 mile radius of the City of Blanding.

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the Mayor be authorized to represent the City of Blanding before the Utah League of Cities and Towns and other agencies in soliciting support requiring further study of "Project Bold" as it may affect the City of Blanding.

B. The Mayor informed the Council that he had discussed with Mr. Robert Redd our request to purchase water from Indian Creek Ranches. Mr. Redd is not interested in selling his water but he would be interested in trading water to the City if the City would be willing to build a reservoir in north Cottonwood to impound water that is now being lost.

The Council agreed that there should be further discussion with Mr. Redd relative to this matter.

C. The Utah State Division of Community Services has approved a grant to the City of Blanding for payment of engineering services in connection with the design of the proposed Starvation Reservoir.

D. The Bureau of Land Management has programed a number of tourist related improvements on property adjacent to Utah Highway 95.

E. The U.S. Park Service will hold a Public Hearing at the Blanding City Hall on October 20, 1983 at 7:00 o'clock P.M. relative to back country management pertaining to Arches and Canyonlands National Parks.

F. Property owners adjacent to the south side of 8th North Street between 3rd and 4th West Streets have indicated they will not participate in curb and gutter construction costs on such street. Mayor Bradford and the Engineer will discuss the matter with said property owners.

10. Mr. Jon L. Hunt, manager, Blanding Municipal Airport, advised the Council that Alpine Aviation has terminated their daily service to the City of Blanding and Blanding residents are now served through a connection with Alpine Aviation at the Grand County Airport. The circumstance resulting from complaints originating in Grand County that indicated service was inadequate to that area. Inasmuch as Alpine Aviation is a federally subsidized company, the needs of the Blanding area should command service consideration and such information should be communicated to the Federal Aviation Administration as an official position of the City of Blanding. The Council agreed that a letter stating the position of the City of Blanding in the matter should be sent to the said administration.

11. Following discussion of the revision of the agreement with the San Juan County Water Conservancy District, motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the agreement be presented to the San Juan County Water Conservancy District for their consideration and that subject to their approval of the same the City may then entertain a resolution authorizing execution of such document.

12. Following discussion, motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the Mayor be authorized to recommend to the San Juan School District and San Juan County that they concur with the City of Blanding in naming the large ball field at the Blanding Recreation Complex "Johnson Field".

Meeting adjourned at 10:48 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD SEPTEMBER 28, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws

Also present were: Alan Haun; Marsha Keele; Scott O'Neal; Dennis Jones; Steve Wilcox; Craig Halls; Bishop Pincock.

1. Prayer was offered by R. Dwight Laws.
2. Minutes of City Council meeting 9/28/83 were approved.
3. Mr. Alan Haun and Mr. Scott O'Neal presented to the Council proposed sketches for a building at the Blanding Recreation Complex chosen at a meeting with the Lions Club and the San Juan Recreation Department. Mr. Dwight Laws, San Juan Recreation Committee Chairman, and Mr. Dennis Jones, San Juan County Recreation Director, expressed their support of the project.
Following discussion, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that:
 - A. Subject to concurrence by the Utah Bureau of Outdoor Recreation and the Utah Department of Community Affairs, the proposed building project be advertized for proposals to furnish building materials only with the labor to be furnished by members of the Blanding Lions Club, City personnel and other volunteers.
 - B. Required architectural drawings shall be prepared by Mr. Scott O'Neal and the bidding documents construction specifications shall be prepared by Mr. O'Neal and the City Engineer.
 - C. Subject to completion and execution of an operating agreement as required by previous construction agreement by and between the City of Blanding, San Juan School District and San Juan County, it is hereby understood that the Blanding Lions Club shall be the managers of the building and shall prepare fee schedule for use of the same with net revenues over and above operating costs to be allocated to further parks and recreation improvements.
4. Mr. Phil Palmer, City Engineer, presented to the Council cost estimates for Water Improvements Project, Phase I, Schedule VI which included water improvements within the City limits and the installation of a water line to the Blanding Airport.
Following discussion, motion was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried that the Water Improvements Project, Phase I, Schedule VI be approved and that Horrocks Engineers, Inc. be authorized to prepare plans specifications and bidding documents for advertizing the project at the earliest possible date.
5. Mr. Dwight Laws, Director of Public Works, reported the following to the Council:
 - A. The debris from the old Blanding Airport building has been cleaned up.
 - B. A number of water leaks have been located and repaired.
 - C. The fencing for the Blanding Recreation Complex and the siding and roofing for a small building were purchased and installation of the fencing will start the ensuing week.
 - D. The City street crew is continuing necessary patching work on streets within the City.
6. The City Engineer reported the following to the Council:
 - A. Curb, gutter and sidewalk installation is continuing between Center Street and 100 North Street on 100 West Street; forms are in place for the sidewalk installation by the Ray Lyman family organization south from 100 South Street.

B. Curb, gutter and sidewalk is in place on the north side of 800 North Street in front of the San Juan Nursing Home and the street area is ready for grading by the San Juan County Road Department.

C. Representatives from the Utah State Engineers Office and the U.S. Forest Service inspected the Camp Jackson Reservoir on 9/27/83. A letter will be forthcoming from the State Engineers office detailing maintenance requirements relative to such reservoir.

D. Representatives from Utah State Engineers office inspected Blanding City Reservoirs #3 & 4 on 9/28/83 and indicated that vegetation on the embankments needs to be removed, some rip-rap needs to be replaced and the drain valve on Reservoir #3 must be placed in operating condition.

7. The Administrator reported the following to the Council:

A. Utah Power and Light Company is scheduled to install the neutral line necessary to furnishing three-phase power to the new fire station on Monday or Tuesday of the ensuing week.

B. The newly constructed three-phase electric line to the City sewer treatment facilities has been energized by Utah Power and Light Company.

C. Work is continuing on the electric line changes required at the Blanding Airport for furnishing 7200 volt service to the area.

8. Councilmember Smith and Dwight Laws, Director of Public Works, met with Jon L. Hunt, Manager Blanding Municipal Airport, relative to revising the Airport Manager and Operator's Agreement.

Councilmember Smith inquired if contact had been made with the homeowners south of the Nursing Home on 800 North Street. No contact has been made.

9. Councilmember Black discussed the following items with the Council:

A. The possibility of the City offering Greg Christensen \$50,000 for his water stock and 30 acres of land. The Council agreed that Councilmember Black should negotiate further on the matter.

B. Suggested that the transformers and switching gear on the 2nd Reservoir well should be moved to the City yard for safe keeping.

C. Inquired of the progress being made on Main Street sidewalks. Mr. Palmer informed the Council that work would start in front of the Western Auto store the following day.

10. Councilmember Johnson informed the Council that she had met with a committee relative to the proposed park in the area of 800 North Street and 100 West Street and that they considered a couple drawings showing the layout of the sprinkling system. They hope to have the grass planted this fall.

11. The mayor reported the following items to the Council:

A. Attended Utah League of Cities and Towns Convention; no significant direction came out of such convention.

B. Met with Mr. Dale Carpenter, Director, Utah Division of Community Development, who confirmed that the City will receive a grant of \$91,078, \$36,078 of which is to fund engineering design on the Starvation Reservoir and the balance is to be used for funding a contract with Utah State University Foundation wherein they will study the possibility of developing a recreation and/or agriculture community in the area of Halls Crossing of the Glen Canyon Recreation Area.

C. There is a possibility of the San Juan Center receiving grant funds through Utah Community Development Agencies for constructing classroom space, providing the City of Blanding will be the sponsoring agent.

Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the City make application to the appropriate Utah State agency for grant funds totalling \$50,000 to be utilized in behalf of the College of Eastern Utah, San Juan Center, for construction of needed classroom space.

D. At a meeting with Governor Matheson relative to PROJECT BOLD, a proposal to exchange Utah State school sections for Federal land within the State of Utah, a map was presented indicating the areas around Blanding City which the City desires to be left in Federal ownership. The Governor advised that the land area Blanding City desires to be left in Federal ownership will be deleted from the land block surrounding the Blanding area.

The use of land in the Grand Gulch-Cedar Mesa area of San Juan County for agricultural purposes was also discussed and the Governor agreed that the matter needs further study.

E. The health facilities being constructed at the San Juan Nursing Home will be titled the Blanding Clinic.

12. Craig Halls, City Attorney, informed the Council that the San Juan County Water Conservancy District had not met to consider the proposed agreement by the City of Blanding.

13. The City Administrator presented to the Council a list of the 10 candidates running for the office of City Councilmember in the municipal election to be held November 8, 1983.

Meeting adjourned at 9:42 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD OCTOBER 12, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws

Absent was Councilmember: J. Carl Osborn

Also present were: Bonnie Purcell and members of Webelos Pack 801; Marsha Keele; John Hanson and Col. Davis representing the Stokermatic Company.

1. Prayer was offered by Councilmember Black.
2. Minutes of City Council meeting 9/28/83 were approved.
3. Councilmember Johnson introduced Mr. John Hanson and Col. Davis, representing the Stokermatic Company. Mr. Hanson informed the Council of the desire of the company to locate a stove/furnace manufacturing plant in San Juan County. Their desire is to provide jobs for the Navajo people and to upgrade their work skills.
4. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried:

RESOLUTION 1983-23

A RESOLUTION AUTHORIZING THE EXECUTION
OF AN ENGINEERING AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and Horrocks Engineers, Inc. wherein the Engineering Agreement of July 23, 1980 and subsequent amendments thereto is further amended to increase the maximum fee for work performed to \$88,000.00; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of October, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. Mr. Dwight Laws, Director of Public Works, reported the following to the Council:
 - A. Repair of water leaks and meters is continuing.
 - B. The installation of fencing around the City Shop and the Blanding Recreation Complex is in progress.
 - C. Sidewalk has been poured on Main Street in front of Western Auto, the Curtis Jones residence on 100 West Street and at the City Office. The sidewalk area in front of the Ray Lyman residence on 100 West Street is graded for sidewalk installation. The foundation for a small building at

the Blanding Recreation Complex was also poured.

D. Water from Indian Creek was shut off so that work at the upper ditch could be done.

E. The City crews are hauling gravel and making necessary repairs on City streets.

F. Final grading around the fire station is being completed.

G. The Blanding Tunnel Plaque is now in place.

H. The pressure control valve at 300 S. 200 W. Street is non-functional.

6. Mr. Phil Palmer, City Engineer, reported the following to the Council:

A. E.A. Black Plumbing and Heating will complete the Water System Improvements, Phase I, Schedule I which includes rock excavation south of the Johnson Creek Tunnel, in the near future.

B. The fire station has been completed excepting for electric system check which has to await a 3-phase power connection.

C. Sewer Treatment Facilities Project is near completion. Remaining construction items such as the fencing and building are proceeding rather slowly.

D. Water Improvements Project, Phase I, Schedule VI has been delayed until aerial photos are received by our consultants. Bid opening will be held November 9, 1983.

7. Councilmember/^{Smith}inquired if the City could hire someone to investigate the feasibility of constructing a natural gas powered electric generating plant. The Administrator advised the Council that Walmsley Engineering is monitoring the area natural gas situation relative to this matter.

8. Councilmember Black expressed his concern about dog control. He feels that a more concentrated effort should be placed on dog control and that citations should be issued if necessary. The Council authorized the purchase of two additional dog traps and expenditure of additional funds as necessary to handle the problem.

9. Councilmember Johnson reported that she had met with the committee relative to the lay-out of the sprinkling system for the proposed park at 800 North 100 West. The engineer presented to the Council a proposed park development plan. The Council voiced their approval of the same.

Considerable litter and debris is collecting on the sidewalk in front of the Fun Spot. The Council agreed that a letter should be written to the owner asking them to keep the sidewalk cleared of trash.

10. The Mayor reported the following to the Council:

A. The Utah Department of Indian Affairs Board of Directors has adopted a policy allowing greater flexibility in funding approved development projects which would provide employment for Indian people.

B. Utah State officials have advised that funds appropriated for community development under a job training act have all been allocated for flood maintenance and control.

C. White Mesa Ute Council has indicated they will make financial commitment to the proposed Cultural Center.

D. The candidates for the office of City Councilmember, who will be considered by the electorate in the municipal election to be held November 8, 1983, should have an opportunity to present their views relative to City operation at a public forum. Accordingly, the City should arrange for a meeting place at which the same may be carried out. The Council was in agreement with such proposal.

11. Motion was made by Councilmember Black, seconded by Councilmember Johnson and unanimously carried that the following individuals be appointed to the office of Judge of Election for the municipal election to be held November 8, 1983:

Districts 10 & 18

Dolores Bayles
Francelle Blickenstaff
Gladys Jack
Paula Jones

Districts 11 & 17

Connie Brown
Afton Fisher
Betty Ann Hawkins
LaVern Tate
Ruby Bronson

Meeting adjourned at 9:20 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD OCTOBER 26, 1983
AT 8:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Bradford

City Councilmembers:	Bruce N. Black Francis M. Lyman J. Carl Osborn Don E. Smith
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws

Absent was Councilmember: Clea S. Johnson

Also present were: Harold Lyman; Marsha Keele; Craig Halls, City Attorney; Richard Pincock; Clint Pincock; Jeff Orr; Sterling Davis, District Engineer, UDOT; and Frank Eulrich.

1. Prayer was offered by Philip Palmer.
2. Minutes of City Council meeting 10/12/83 were approved.
3. The Council discussed the following three areas of concern with Mr. Sterling Davis, District Engineer, Utah Department of Transportation:
 - A. The replacement of broken curb and gutter on Main Street.
 - B. The finalization of sidewalk installation on Main Street.
 - C. Concern of the road condition at the intersection of Center and Main.

Mr. Davis explained to the Council that the State does not have the forms or ability to repair sidewalk, curb and gutter. The work that has been done in the past has been done by contractors. They are hoping that the budget will be enlarged for this particular area of work. It is also hopeful that the Pedestrian Safety Funds will continue to be received. Mr. Davis feels that if the City would be willing to go ahead with the repair work on Main Street, that the State would reimburse them for actual costs.

Mr. Davis had observed the necessity of road repair at Main and Center and said that he would check on getting the repair work done as soon as possible.

Mr. Davis suggested that the City Engineer direct a letter to the Utah Department of Transportation requesting consideration of funding needed for curb, gutter and sidewalk replacement and maintenance.

Mr. Davis informed the Council that signs for Highway 163 and 191 would both remain posted until new maps are printed and circulated. The earliest possible date for removal of Highway 163 signs would be the summer of 1984.

It was requested of Mr. Davis that the sign on the north edge of town, showing direction to San Juan Center, College of Eastern Utah, be removed.

There is a possibility of the bidding for the paving of the Recapture Dam Highway to be this winter so that the contractor may be prepared to start on the paving when the weather permits. It is hopeful that a new and wider highway will be brought further into Blanding.

4. The Council conducted a Public Hearing relative to the granting of a variance and rezoning of the following described real property within the corporate limits of the City of Blanding:

Beginning at a point which is 3230.2 ft. North and 1730.88 ft. East of the South $\frac{1}{4}$ corner of section 34, T.36 S., R. 22 E., SLB&M; thence N. 89°55'45" W. 270.20 ft., thence S. 0°55'45" W. 100 ft., thence N. 89°55'45" E. 270 ft. to the west right-of-way line of Highway 191, thence northerly along said right-of-way 100 ft. to the point of beginning.

ABF278

Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION 1983-24

A RESOLUTION GRANTING A VARIANCE
AND REZONING CERTAIN REAL PROPERTY
WITHIN THE CORPORATE LIMITS OF THE CITY

BE IT RESOLVED by the City Council of the City of Blanding, Utah that a variance be granted which would permit the following described real property within the corporate limits of the City of Blanding to be rezoned and the same is hereby, from Commercial (C) to Industrial (I) status; that the official zoning map of the City be revised to reflect the same:

Beginning at a point which is 3230.2 ft. North and 1730.88 ft. East of the South $\frac{1}{4}$ corner of section 34, T. 36 S., R. 22 E., SLB&M; thence N. 89°55'45" W. 270.20 ft., thence S. 0°55'45" W. 100 ft., thence N. 89°55'45" E. 270 ft. to the west right-of-way line of Highway 191, thence northerly along said right-of-way 100 ft. to the point of beginning.

PASSED, ADOPTED and APPROVED this 26th day of October, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

5. Mr. Craig Halls reported to the Council the concern of the San Juan County Water Conservancy District over the phrase "excepting that; the City may terminate this agreement, forfeiting all rights herein, by giving written notice to the District on/or before the first day of March in any given year".

Following discussion of the same, motion was made by Councilmember Smith and seconded by Councilmember Osborn that the City propose to the District a default clause stating that in the event the City defaults in their payment of \$20,000, the City would have one year from notice of default to cure the default; in the event the City cannot cure the default, the City water rights would convert back to the District.

Those voting "AYE":	Councilmember Osborn
	Councilmember Smith
Those voting "NAY":	Councilmember Black
	Councilmember Lyman

Mayor Bradford declared the voting tied and refused to vote on the issue whereupon the motion was defeated.

Motion was made by Councilmember Lyman that the phrase "excepting that; the City may terminate this agreement, forfeiting all rights herein, by giving written notice to the District on/or before the first day of March in any given year" be withdrawn from the contract with the San Juan County Water Conservancy District.

Following further discussion, Councilmember Lyman withdrew his motion and further action on the matter was deferred to a later date.

66. The City Engineer reported to the Council that the pressure control valve at 300 South 200 West Street has been repaired and that the County is doing street work on 100 West Street between Center and 100 North Street and on 800 North Street between 3rd and 4th West Streets.

The Mayor requested the Engineer see that 6th West Street south of 1st South Street be placed on the street construction schedule for the next ensuing construction year.

8. The Mayor reported the following items to the Council:

A. The San Juan County Board of Commissioners has adopted a resolution relative to County involvement in the health care services to residents of San Juan County.

B. An agreement has been reached between the San Juan Center, College of Eastern Utah, and the Edge of Cedars Museum relative to classroom use by San Juan Center personnel in the museum building.

C. The Southeastern Utah Association of Local Governments has advised that San Juan County is eligible for \$16,990 of Community Development Block Grant Funds from the current association allocation.

Meeting adjourned at 10:35 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD NOVEMBER 9, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson J. Carl Osborn Don E. Smith
City Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director Public Works:	R. Dwight Laws

Absent was Councilmember: Francis M. Lyman

Also present were: Harold Lyman; Rex Harrison, Project Engineer, Horrocks Engineers; Richard Pincock.

1. Minutes of City Council meeting held 10/26/83 were approved.
2. The City Administrator informed the Council that they must canvas the election returns of November 8, 1983 within 6 days. The Council agreed to meet Thursday, November 10, 1983 at 12:30 P.M. at the City Office.
3. The following letter was read in full to the Council:

Leavitt Group-Bond Division
P.O. Box 421
Spanish Fork, Utah 84660

October 21, 1993

Mr. Francis D. Nielson
City Administrator
Blanding City Corporation
500 West First South
Box 68
Blanding, Utah 84511

RE: Blanding City Water Supply Improvements--Phase I
S & H Insurance Bond No. BDB 107718

Dear Bud:

This will confirm our telephone conversation of October 12, 1983 regarding the Blanding City Water Supply Improvement project on which S & H Insurance Company is acting as surety and attempting to complete the job to the satisfaction of the City.

As we discussed, I have received a copy of the punch list from Horrocks Engineers which include a number of clean-up items and the testing of a section of pipe. As I mentioned to you on the telephone, we anticipate a mobilization cost of \$1,000.00 for our contractor to return to Blanding for the purpose of cleaning up the punch list items, a cost \$658.00 for the clean-up itself and \$513.00 as a charge for testing the section of pipe. This totals \$2,171.00.

As a possible accommodation to the City, as well as a possible savings to the surety, we discussed splitting the mobilization cost and paying the City the sum of \$1,671.00 to complete the project and punch list items. This would represent \$500.00 toward mobilization, \$658.00 for the clean-up, and \$513.00 for the pipe test.

In exchange for this payment, Blanding City would accept the project and deal with the clean-up and pipe testing on its own terms.

ABF278

This would allow us to finalize the project and disburse the remaining funds, so that the surety can pay the contractor and reduce its loss to a minimum. Further, any other items that may arise can be handled under the ordinary warranty procedure.

If this accurately reflects our understanding, would you be kind enough to execute the enclosed copy of this letter indicating your agreement and the date thereof.

I appreciate your consideration in working this out so promptly the other evening. It allowed us to give an answer to our contractor who wished to use the UEA holiday as an opportunity to complete the work.

Sincerely,

Michael R. Vowles

MRV:js

Accepted by Blanding City:

Its Administrator

Dated this 14th day of November, 1983

Motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that the proposal of S & H Insurance as presented in the foregoing letter, relative to Water Improvements Project, Phase I, Schedules II & III, be accepted, in closing out said project.

4. The Administrator presented for Council review an audit report relative to grant funds received from various state agencies.

5. The following resolution was read in full to the Council:

RESOLUTION 1983-25

A RESOLUTION RATIFYING AND CONFIRMING
THE ACTION OF THE MAYOR IN EXECUTING AN
ENGINEERING AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor in executing that certain Engineering Agreement by and between the City of Blanding and Horrocks Engineers, Inc. relative to Water Systems Improvements, Phase I, Schedule VI, be, and the same is hereby, ratified and confirmed; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of November, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Motion for adoption of Resolution 1983-25 was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried.

6. The following resolution was read in full to the Council:

RESOLUTION 1983-26

A RESOLUTION RATIFYING AND CONFIRMING
THE ACTION OF THE MAYOR IN EXECUTING A
UTILITY LINE AGREEMENT (LICENSE)

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor in executing that certain Utility Line Agreement (License) by and between the City of Blanding and the Utah Department of Transportation relative to Water System Improvements, Phase I, Schedule VI, be, and the same is hereby, ratified and confirmed; that a copy of such agreement (license) be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of November, 1983.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Motion for adoption of Resolution 1983-26 was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried.

7. The Director of Public Works reported the following items to the Council:
- A. Commended John Seely and Harold Mosley on their quick and efficient work in getting the parking ramp at the fire station completed.
 - B. The fencing at the Blanding Recreation Complex is installed and the service storage building is complete excepting for the second coat of paint.
 - C. City crews are continuing installation of the fence at the City Shop.

8. Following a review of bid proposals for furnishing materials and labor on Water Improvements Project, Phase I, Schedule VI, as presented by the City Engineer, motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the proposal of W. R. White Company for furnishing material in the amount of \$50,702.79 be accepted.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the proposal of E. A. Black Plumbing and Heating for installation of the pipelines in the amount of \$28,435.00 be accepted.

9. The City Engineer discussed the following items with the Council:

A. The contractor is completing the final stages of Water Improvements Project, Phase I, Schedule I (Upper Ditch), has drilled and blasted rock in the bottom of the ditch south of the Johnson Creek tunnel and will finish the project within the next two days.

B. Work on 800 North Street between the Johnson Creek Road and the Blanding Utah Stake Center by the San Juan County Road Department has been delayed due to legal matters raised by local contractors relative to the bidding requirements under the Utah State statutes.

10. Following discussion of the 800 North Street matter, the Council agreed that the Mayor and Councilmember Smith should attend the next regular meeting of the Board of County Commissioners and protest stopping of the work on such street and advise the Commission that it is the opinion of the City Council of the City of Blanding that there have been no violations of statutory requirements relative to the bidding requirements in the construction and development of the said 800 North Street; and further, that the said project is consistent with the terms and conditions of the interlocal cooperative agreement by and between the City of Blanding and San Juan County which authorizes County Road Department maintenance and construction on City streets.

ABF278

11. Results of the Municipal Election held November 8, 1983 were reported to the Council by the Administrator as follows:

Keith W. Black	156
M. Lea Hurst	161
Clea S. Johnson	266
Kay R. Johnson	121
Marsha K. Keele	120
Francis M. Lyman	272
Richard D. Pincock	295
Larry Richmond	37
James S. (Jim) Shumway	178
Russell C. Stevenson	194

12. The City Administrator presented the following items to the Council:

A. Income and expenditures report for the Electric, Water and Sewer systems for the period July 1 - October 31, 1983.

B. Request for payment as submitted by Stratton Brothers Construction Company on the Blanding Sewer Treatment Facilities project C-490201-94, are currently being withheld pending delivery of the project pickup truck and correction of a Davis-Bacon wage problem.

C. Completion of the sewer treatment facilities project will necessitate revising the sewer service charge system consistent with the agreed to charges by and between the City and the Environmental Protection Agency which must be done not later than the regular Council meeting scheduled for December 14, 1983.

13. Councilmember Black discussed the following items with the Council:

A. Suggested that Councilmember Smith and the City Engineer look into a possible site for a reservoir at Indian Creek.

B. Encouraged the City Administrator to continue pursuing the possibility of different health insurance for City employees.

C. Discussed feasibility of accumulating surplus water run-off storage reservoirs. It was agreed that this should be attempted subject to completion of the Upper Ditch project.

D. Inquired if all pipes and valves had been covered in preparation for winter. The City Engineer informed the Council that all pipes and valves were covered.

14. Councilmember Johnson inquired as to the status of the sprinkling system for the park at 800 North and 100 West Streets. The City Engineer informed the Council that no more progress has been made on this matter.

15. Councilmember Osborn discussed the following items with the Council:

A. Informed the Council of a vacancy on the Planning Commission since Mr. Steve Bronson has moved and asked for the advise and consent of the Council to have Sandy Certonio fill the vacancy and complete Mr. Bronson's term. The Council gave their advise and consent to said appointment.

B. Advised that San Juan High School will be having an Indian Week in May and asked for the City's participation. The Council discussed the possibility of sponsoring a softball tournament in connection with the school's proposed Indian Week Program.

16. Mr. Harold Lyman, chairman of the City Economic Develop Committee, discussed with the Council the impact on local jobs and employment resultant from closure of the Energy Fuels Nuclear, Inc. uranium extraction plant and advised that the City Economic Development Committee is considering various possibilities to expand and broaden the local economic base, which will involve application by the City for Energy Impact Funds. The Economic Development Committee will attend some future City Council meeting and present their proposals in connection with this matter.

Mr. Lyman also inquired as to the status of the Airport Land Acquisition Project and was advised by the Administrator that a status report has been recently filed with the Federal Aviation Administration indicating that the City is nearing purchase of land adjacent to U.S. Highway 163 for proposed exchange with the Ute Mountain Ute Tribe for the acreage necessary to the extension of the airport runway north approximately 1,000 feet; and that finalization of the land purchase is anticipated by December 31, 1983.

17. Mr. Harold Mosley, the maintenance supervisor for the City, appeared before the Council and objected to the proposed excavation across streets in connection with the Water Improvements Project, Phase I, Schedule VI, when, in most incidents, pipe could be either jacked under the streets or such areas may be augered for pipe installation without excavation. The Council agreed that such concern has merit and that the City Engineer should see that no excavation across streets is done where drilling under them is possible.

18. The Mayor discussed the following items with the Council:

A. On December 6, 1983 San Juan County proposed to present questions to the electorate relative to the creation of a County Health District and the possibility of selling bonds for obtaining construction and development revenue.

B. Proposed developments at the San Juan Nursing Home will increase it to an 81-Bed facility.

C. Pertinent entities will evaluate the status of the Halls Crossing Study project on November 17, 1983. Such project is scheduled for completion by December 31, 1983.

19. Following discussion of funding the proposed purchase of 500 acre¹/₂ feet of water annually from the San Juan County Water Conservancy District, motion was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried that the Administrator be authorized to invest \$200,000 of City surplus funds with Merrill Lynch Pierce Fenner and Smith, Inc. in FDIC insured securities for a period of 10 years, providing a rate of return may be secured sufficient to fund the \$20,000 annual payment to be made to the San Juan County Water Conservancy District for the purchase of 500 acre feet of water annually.

20. Motion was made by Councilmember Smith and seconded by Councilmember Osborn that the City propose to the San Juan County Water Conservancy District a default clause stating that in the event the City defaults in their payment of \$20,000, the City would have one year from notice of default to cure the default; in the event the City cannot cure the default, the City water rights would revert to the District.

Those voting "AYE":	Councilmember Smith
	Councilmember Osborn
	Councilmember Johnson
Those voting "NAY":	Councilmember Black

Whereupon Mayor Bradford declared the motion carried.

21. Councilmember Black requested that those people owning water connections north from the Water Treatment Plant be made aware that the same should be winterized to prevent freezing and subsequent loss of water during winter season.

Meeting adjourned at 9:30 P.M.

Karalee Austin
Deputy Recorder

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD DECEMBER 14, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Clea S. Johnson
	Francis M. Lyman
	J. Carl Osborn
	Don E. Smith
Recorder:	Francis D. Nielson
Engineer:	Philip L. Palmer
Director of Public Works:	Richard D. Laws
SJHS Representative:	Stuart Shumway
Attorney:	Craig C. Halls

Absent was Councilmember: Bruce N. Black

Also present were: Calvin F. Black, Phil Acton, Elk Ridge Restaurant, Inc.; William Howell, Director, Southeastern Utah Association of Local Governments; Harold J. Lyman, Chairman, Blanding City Economic Development Committee; Marsha Keele, Reporter, San Juan Record; Bill Osborn; Lewis Kay Shumway, J. Lynn Lee, San Juan Center College of Eastern Utah; Winston Hurst, Fred Blackburn, White Mesa Institute of Southeastern Studies; Douglas Bedke, Ralph L. Rollins, Allan Hawkins, Rollins Brown and Gunnell, Inc.; Donald V. Jack Superintendant of Schools, San Juan County; Richard C. Pincock, Blanding City Councilman-elect; Russell Stevenson, Utah Navajo Development Council.

1. Minutes of City Council meeting held November 9, 1983 were approved.
2. The Administrator advised the Council of the programmed annual visit of the Utah Department of Transportation scheduled to be held at the San Juan County Courthouse on February 22, 1984 at 1:30 P.M.
3. The following letter was read in full to the Council:

Blanding, Utah
Dec. 2, 1983

Blanding City Council:

We surely could use an ordinance like this one and some law enforcement. (Newspaper clipping attached)

I am sick of being sick to my stomach from cleaning my lawn.

Resp.
Vivian Redd

The Council agreed that a copy of the Blanding City Dog Control Ordinance should be sent to Mrs. Redd and efforts made to trap the animals causing her concern.

4. Winston Hurst, et al, discussed with the Council the possibility of seeking Utah Energy Impact Board funding for the following proposed programs and facilities:
 1. Nations of the Rainbow Center
 2. Cultural Center
 3. Archeological Field School
 4. Science Center

Mayor Bradford reviewed briefly the proposed functions of the Nations of the Rainbow and Four Corners Cultural Centers.

Fred Blackburn discussed the functions of an archeological field school and the field camp facilities needs.

Lewis Kay Shumway discussed the need and function of a science center in connection with the curriculum offered by the San Juan Center, College of Eastern Utah.

William Howell, Director Southeastern Utah Association of Local Governments, expressed his advocacy for pursuit of the foregoing programs as detailed by Mr. Hurst. He offered the services of SEUAOG personnel in preparation of application for funds and suggested the following prioritized potential funding sources:

1. Utah State Energy Impact Board.
2. Community Development Block Grant programs.
3. National Museum Institute.
4. Economic Development Institute.

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Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the City of Blanding act as the sponsoring entity in making applications for funding of the proposed Nations of the Rainbow and Four Corners Cultural Centers, Archeological Field School camp facilities and a Science Center for the San Juan Center, College of Eastern Utah subject to cooperation by the various interested parties in providing information and documentation necessary to preparation of such applications, the initial requested amount to be \$150,000.00 and submitted to such federal and state agencies as the City may deem proper.

5. Ralph L. Rollins, P.E., presented a proposal for performing engineering design of the proposed Blanding City Starvation Reservoir at a fee not to exceed \$40,000.00.

The City Engineer presented the proposal of Horrocks Engineers, Inc., to provide engineering services for the design of the proposed Blanding City Starvation Reservoir at a cost of \$43,800.00.

The Council agreed that because of the urgency of other agenda items, further discussion of the Starvation Reservoir engineering design proposals should be deferred to a later point in the meeting.

6. Calvin F. Black, Vice President, Elk Ridge Restaurant, Inc. presented the following letter of petition and statements of citizen support to the Council:

Blanding, Utah
November 19, 1983

Honorable Mayor and City Council
City of Blanding

Elk Ridge Restaurant, Inc. wishes to make application to the Utah Liquor Control Commission for a license to sell small mini-bottles of liquor and wine to patrons of the restaurant who wish to have a drink or wine with their meal.

In order for the Liquor Commission to issue such a license, the City of Blanding, through action of the City Council must give consent.

The owners and management of Elk Ridge Restaurant believe this would provide a needed service for tourists, commercial visitors, and some local patrons without adding to the present serious problems of alcohol abuse of which we are all concerned.

We also believe it will help increase business in Blanding, directly for motels, shops, stores, service stations, and other restaurants as well as ours. This will accordingly increase tax revenues and new jobs.

Enclosed for your information and review is a copy of the statutes with respect to such license and the requirements thereof, and a copy of the required consent letter.

We would appreciate this item being placed on the Agenda of the City Council meeting at your earliest convenience and we would like to personally appear to discuss the matter and to answer any questions you may have.

Respectfully submitted,
Elk Ridge Restaurant, Inc.

Zelma Acton, President
Calvin Black, Vice-President
Phil Action, Sec-Treasurer
Carolyn Black, Director

WE, THE UNDERSIGNED BUSINESSMEN OF THE BLANDING AREA, SUPPORT THE APPLICATION OF ELK RIDGE RESTAURANT, INC. FOR A STATE MINI-BOTTLE LICENSE. WE BELIEVE THE SERVICE THAT CAN BE PROVIDED WILL ENHANCE BUSINESS IN THE BLANDING AREA TO THE BENEFIT OF THE ENTIRE COMMUNITY.

Clinton K. Howell
Jay Nelson
Mike V. Christensen
Phil B. Acton
Randee L. Bayles
Gordon Redd
Chad Perkins

Craig Simpson
Terry E. Hunt
George Petty
Earl E. Stevens
Van Palmer
Keith W. Black
Rocky Oliver

Curtis Palmer
Hugh Acton
Dorman H. Black
R.R. Lyman D.M.D.
Kedric Redd
Howard Randall

Recorder's Note: Rocky Oliver is not a resident of Blanding City.

Councilmember Osborn reported that the City Economic Development Committee supports by majority vote the granting of the requested "Letter-of-Consent"; that the minority vote of the Economic Development Committee expressed that the recent poll of area voters relative to the sale of beer within the City was ample evidence that a majority of the citizenry is against the sale of alcoholic beverages.

Following considerable discussion of the matter, motion was made by Councilmember Smith and seconded by Councilmember Lyman that the request of Elk Ridge Restaurant, Inc. for a "Letter of Consent" to the establishing of a State Liquor Store under Section 32-1-36.5,6,UCA, on the premises of the Elk Ridge Restaurant, 128 East Center Street within the City, be denied.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson
	Councilmember Lyman
	Councilmember Smith
Those voting "Nay":	None
Those abstaining:	Councilmember Osborn
Those absent:	Councilmember Black

constituting all the members thereof.

Whereupon the Mayor declared the motion carried.

7. The following ordinances were read in full to the Council:

Ordinance No. 1983-2
Ordinance No. 1983-3
Ordinance No. 1983-4
Ordinance No. 1983-5
Ordinance No. 1983-6

Motion for adoption of following ordinance was made by Councilmember Osborn and seconded by Councilmember Johnson:

ORDINANCE NO. 1983-2

AN ORDINANCE AMENDING SECTION 11-321 OF THE CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING.

PART 11-321. STREETS - TRAFFIC CONTROL.

11-321. TRAFFIC CODE.

A. Be it ordained by the City Council of the City of Blanding, Utah, that:

1. The State of Utah Traffic Rules and Regulations as promulgated at Chapter 41, Title 31, and all of Chapters 1, 2, 6, 7, 8, 21, 22 and 25 of Title 41, Utah Code Annotated, as from time to time amended, is hereby adopted as the Traffic Rules and Regulations of the Blanding City Municipal Corporation. A copy of the Traffic Rules and Regulations are currently on file at the City Office, in the Utah Code and as published by State of Utah Traffic Rules and Regulations by the Utah Department of Public Safety.

B. Unless the context requires otherwise, all references in the Traffic Rules and Regulations for the State of Utah as described above to:

1. "The State Road Commission" shall mean this City and its officers, departments, agencies and agents.
2. "Local authorities" shall mean the city council of this municipality.
3. "The Department of Public Safety of the State of Utah" shall mean the chief of police of this City or his agent.
4. "Magistrate" shall mean the justice of the peace or judge of this city.

Passed by the Council the 14th day of December, 1983.

Approved by the Mayor.

Cleal Z. Bradford, Mayor

Attest:

Recorder

ABF278

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn
	Councilmember Smith
Those voting "Nay":	None
Those absent:	Councilmember Black

Whereupon the Mayor declared the motion carried and Ordinance No. 1983-2 duly adopted and approved.

Motion for adoption of following ordinance was made by Councilmember Osborn and seconded by Councilmember Lyman:

ORDINANCE 1983-3

AN ORDINANCE AMENDING ORDINANCE NO. 11-324 - UNLAWFUL PARKING: PROVIDING FOR ANGLE PARKING AT SPECIFIED LOCATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF BLANDING.

Be it ordained by the City Council of the City of Blanding, Utah:

11-325. UNLAWFUL PARKING.

A. Parking at Curb. No motor vehicle shall be parked with the left side of the vehicle next to the curb except on one-way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curb line, except that angle parking shall be allowed at the following designations within the corporate limits of the City of Blanding:

From 150 East to 200 East on Center Street (Elk Ridge Cafe);

From 2nd North on 1st East to Fifth North on First East, on both sides of the street (San Juan High School, Albert R. Lyman Elementary, Social Services Building).

Third South between First East and First West.

First West from 2nd South to Fourth South.

First South from Fifth West to the end of the street going West.

First South from First East to First West.

Main Street from Center Street to First North.

First North Street from Main to the Highway going east.

First East Street from First South to First North.

Second West from Third South to Fourth South, below the Wozniak property on the East side of the street (Behind Blanding Elementary).

Second South between Main and First East.

Passed by the Council the 14th day of December, 1983.

Approved by the mayor.

Cleal Z. Bradford, Mayor.

Attest:

Recorder

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn
	Councilmember Smith
Those voting "Nay":	None
Those absent:	Councilmember Black

Whereupon the Mayor declared the motion carried and Ordinance No. 1983-3 duly adopted and approved.

Motion for adoption of following ordinance was made by Councilmember Lyman and seconded by Councilmember Osborn:

ORDINANCE 1983-4

AN ORDINANCE PROVIDING FOR THE ENFORCEMENT OF TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT PROPERTIES.

11-328. PARKING AND TRAFFIC REGULATIONS ON SCHOOL DISTRICT PROPERTIES.

A. Be it ordained by the City Council of the City of Blanding, Utah, that:

The Blanding City Municipal Corporation by and through its law enforcement personnel by this ordinance does hereby accept jurisdiction for enforcement of parking and traffic rules and regulations on both sides of First East Street between Second and Fifth North and on all parking lots , driveways and playgrounds owned by the San Juan Board of Education.

B. The City does hereby authorized the adoption of appropriate rules and regulation for traffic and parking upon school properties to be adopted by resolution as is from time to time established by the City law enforcement personnel in cooperation with the San Juan School Board.

C. Penalties. It shall be an infraction to do any act forbidden or fail to perform any act required by the rules and regulations adopted under this Section.

Passed by the Council on the 14th day of December, 1983.

Approved by the mayor.

Cleal Z. Bradford, Mayor

Attest:

Recorder

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn
	Councilmember Smith
Those voting "Nay":	None
Those absent:	Councilmember Black

Whereupon the Mayor declared the motion carried and Ordinance No. 1983-4 duly adopted and approved.

Motion for adoption of following ordinance was made by Councilmember Lyman and seconded by Councilmember Smith:

ORDINANCE 1983-5

AN ORDINANCE AMENDING SECTION 11-328 OF THE CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING.

ABF278

Be it ordained by the City Council of the City of Blanding, Utah,
that:

11-329. PENALTIES.

- A. Any person violating, causing, or permitting a violation of any provision of this ordinance, except as to Section 11-328, or the provisions adopted or incorporated by reference shall be punished as outlined in those sections adopted by reference. If however, no punishment is specified the person shall be guilty of a Class B Misdemeanor and shall be punished by a fine of not more than \$299 or by a jail sentence not to exceed six months or by both.

Passed by the Council the 14th day of December, 1983.

Approved by the mayor.

Cleal Z. Bradford, Mayor

Attest:

Recorder

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn
	Councilmember Smith
Those voting "Nay":	None
Those absent:	Councilmember Black

Whereupon the Mayor declared the motion carried and Ordinance No. 1983-5 duly adopted and approved.

Motion for adoption of following ordinance was made by Councilmember Johnson and seconded by Councilmember Lyman:

ORDINANCE NO. 1983-6

AN ORDINANCE AMENDING SECTION 11-329 OF THE CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING.

Be it ordained by the City Council of the City of Blanding, Utah, that:

11-330. GENERAL.

- A. Severability. The provisions of this ordinance and the provisions adopted or incorporated by reference are severable.
- B. Repealer. The provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed.
- C. Effective Date. This ordinance shall take effect on the _____ day of _____, 198__.

Passed by the Council the 14th day of December, 1983.

Approved by the Mayor.

Cleal Z. Bradford, Mayor

Attest:

Recorder

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson Councilmember Lyman Councilmember Osborn Councilmember Smith
Those Voting "Nay":	None
Those absent:	Councilmember Black

Whereupon the Mayor declared the motion carried and Ordinance No. 1983-6 duly adopted and approved.

8. The Director of Public Works reported on general sewer and water system maintenance, repair of vehicles, continuing progress on the Blanding Recreation Complex, street maintenance, and further emphasis on the dog control problem by the purchase and utilization of two (2) additional dog traps.

9. The Engineer advised the Council that the so-called "final inspection" of the Blanding Wastewater Treatment Facilities Project No. C490201-94 was completed this date, December 14, 1983, and that except for final grading and completion of a punch-list of items as prepared by the consultants, Horrocks Engineers, Inc., and which such engineers will monitor the completion of, the project was pronounced substantially complete and should be formally accepted as such by the City.

Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City accept the Blanding City Wastewater Treatment Facilities Project No. C490201-94 as substantially complete at this date, December 14, 1983, and that any claim for penalties under the liquidated damages clause of the construction contract with Stratton Brothers Construction Co., Inc., be, and the same are hereby waived, to and including the date of this acceptance; that \$80,000.00 in earned contract payment costs be withheld pending such contractor completing the punch list items as prepared by the project engineers, Horrocks, Inc., to such engineers and the City's satisfaction.

10. The Engineer reported that the Water Improvements Project, Phase I, Schedule VI, is proceeding on schedule.

11. The Administrator advised the Council that funding for the construction costs in the amount of \$1,419,605 for the Blanding Wastewater Treatment Facilities Project No. C490201-94 has been accomplished in a manner which will result in a final debt to the City of approximately \$152,780; that surplus project funds, when properly invested will be adequate for paying future bond interest requirements plus a good portion of the bond principal.

12. The Administrator reported receipt of the land appraisal on the Guymon property in Sections 10 & 15, Township 37 South, Range 22 East, proposed for purchase and exchange to the Ute Mountain Ute Tribe for land on which to extend the Blanding Airport runway. The Council agreed that consistent with the appraiser's report, such property may be purchased.

13. Councilmember Osborn reported that the City Economic Development Committee has appointed Russell Stevenson as a committee member to replace Raymond J. Lyman who recently moved from the City. The Council gave its advise and consent.

14. Following a brief discussion of the Blanding Airport operation, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that Councilmember Smith; Richard D. Laws, Director of Public Works; and Jon L. Hunt, Airport Operator be appointed the Blanding Airport Operating Authority, with Councilmember Smith to act as Chairman.

15. Councilmember Smith reported to the Council that a committee under his direction had revised the Blanding Municipal Airport Manager Agreement and the Agreement Granting Commercial Privileges For Aeronautical Activities At The Blanding Municipal Airport.

Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION 1983-27

A RESOLUTION AUTHORIZING EXECUTION
OF BLANDING MUNICIPAL AIRPORT
OPERATING AGREEMENTS

ABF278

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute an Agreement Granting Commercial Privileges For Aeronautical Activities At the Blanding Municipal Airport and a Blanding Municipal Airport Manager Agreement; that a copy of such agreements be attached hereto and made a part hereof by reference.

PASSED, ADOPTED, and APPROVED this 14th day of December, 1983.

Mayor

Attest:

Recorder

16. Mayor Bradford reported the following to the Council:

- A. The Environmental Protection Agency has issued an NPDES permit for the Betty Mine located in Stevens Canyon on North Elk Ridge.
- B. Matching federal grant funds are available through the Utah Division of State History, Historic Preservation Office for approved community historic activities. The Council agreed that the City should take advantage of this program.
- C. The Governor of Utah is continuing to promote "Project Bold", a proposed land exchange with the federal government which anticipates the State of Utah obtaining land surrounding Blanding City. The Governor has indicated a willingness to delete from his proposal in the Blanding area, those subdivisions of land which Blanding City has advised the U.S. Department of the Interior, are necessary to Blanding Municipal purposes.
- D. Expressed appreciation to Velda J. Nielson for special services rendered to the Council.
- E. Proposed that the regularly scheduled Council meeting of December 28, 1983 be utilized as the annual employee-employer meeting, that it be limited to thirty (30) minutes at the regular meeting place and adjourned to a restaurant and dinner for the governing body, employees and their partners. The Council agreed to such an arrangement.

17. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION 1983-28

A RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT WITH THE SAN JUAN
WATER CONSERVANCY DISTRICT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the San Juan County Water Conservancy District, wherein the City is purchasing Five Hundred (500) acre feet of water from the District; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 14th day of December, 1983.

Mayor

Attest:

Recorder

18. Following further review by the Council of the engineering proposals referred to in Item 5 above, as well as a like engineering proposal received by the Council on December 13, 1983 from Creamer & Noble Engineers, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the proposal of Creamer & Noble Engineers to perform the design of Blanding City Starvation Reservoir be accepted, subject to agreement by said firm that the preliminary design will be completed by not later than March 1, 1984, the final design and construction specifications be

completed not later than June 30, 1984 and that the fees for such work not exceed \$40,000.00

19. Harold J. Lyman, Chairman, Blanding City Economic Development Committee reported that Seisport Exploration Company has located a field crew of approximately sixty (60) men in Blanding, with headquarters at the Jim Slavens offices at 558 South 200 East Street.

Meeting adjourned at 11:10 P.M.

Recorder

Francis D. Nielson

ABF278

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD DECEMBER 28, 1983
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black Clea S. Johnson Francis M. Lyman J. Carl Osborn Don E. Smith
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws

Also present were: Nancy Bradford; Gwen Smith; Craig and Debbie Halls; John Seely; Linda Laws; Tom Austin; Erwin and Georgia Oliver; Oris Black; Richard and Raneen Pincock; Mike and Denise Bradford; Bevan and Elaine Wright; Danny and Karen Fleming; Drake and Gladys Jones; George and Madilyn Low; Lynn and Yvonne Wright; Harold Mosley; Velda Nielson.

- 1. Prayer was offered by Councilmember Black.
- 2. Minutes of City Council meeting held December 14, 1983 were approved.
- 3. Motion for adoption of the following organization chart was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried:

CITY OF BLANDING

Governing Body
(Mayor and Council)

ASSIGNMENTS RELATIVE TO REVISED ORDINANCE TITLES

Mayor
Chief Executive Officer

Title 1-100 through 8-999
Organization
Administration of Affairs
Appointments
Property and Finance

Title 10-100
Safety and Welfare

Title 13-000
Police and Public Offenses
(Maintenance of Law & Order)

Task Committee
Drug/Alcohol
Public Safety

City Council

Assignment #1:	Assignment #2:
Title 9-000	Title 10-200
10-200	10-400
10-300	11-000
? *	
Business Reg.	Health and Sanitation
Licensing	Garbage & Litter
Parks & Recreation*	Public Works
Business Licensing	Public Health
Recreation Facilities/Program	Solid Waste Collection and Disposal
Beautification	Streets
Economic Development	Streets & Sidewalks
Parks & Recreation (ad hoc)	

Assignment #3:
Title 12-000

Assignment #4:
Title 14-100
14-200

Planning & Zoning	Utilities
Planning Commission	Water System
Board of Adjustment	Sewer System
Task Committees	
Boundary Enlargement	Water Development

Assignment #5:
Title 14-300
? *

Electric System Board
Airport*
Electric System
Airport Operation
Airport Authority

* Ordinance Update Required

Meeting adjourned at 7:10 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JANUARY
13, 1982 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL.

Present were: Mayor Cleal Z. Bradford

City Council Members: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator Richard D. Laws

Also present were: DeLamar Gibbons, M.D.; Mrs. Alberta Gibbons; Mr. Dennis Draney, Mr. Neldon Holt, Mr. Calvin Blake and Mrs. Joyce Hyde of the U. S. Postal Department; Mrs. Penny Hayes; Mrs. Marsha Keele; Mrs. Carolyn Hurst

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held December 12, 1981 were approved.
3. Mr. Dennis Draney of the U. S. Postal Department discussed with the Council the possibility of mail delivery within the community. He stated that the department would prefer a Cluster-Box system which involves installation of 8, 12 or 16 box units, as required at a given point, to serve an area not further than one block removed from the unit. The City may make a formal request for service subject to completion of street sign installation and residential house numbering. Mr. Draney advised that the Department desires to serve the area consistent with the citizens desires.
4. Mrs. Alberta Gibbons read the following letter to the Council:

January 13, 1982
7:00 P.M.

Blanding City Council Meeting
Blanding, City Office

During the summer of 1980 we approached the City of Blanding to give us permission to build an apartment complex on South Main Street.

At that time we were told that zoning ordinances classified that area commercial property, and that we had to apply for a zoning change, from commercial to residential. So, we went through all the procedures to have the zoning changed. We were then instructed to put in sidewalk, curb and gutter. Which we did.. We were told that we would receive the customary refund.

After completion of the project, we sent the City a bill, and were told that we would be refunded the percentage of the amount it would have cost the City to do the project.

We waited a few months, during which time we contacted the City on several occasions, but it became apparent that we would not receive the refund, as we had expected.

Because we felt that we had a valid claim we contacted an attorney. He checked into the matter, and wrote us the City's point of view. In due process Mr. Halls became the City Attorney. This created a conflict of interest.

So we felt that the next best thing to do, would be to approach the Legislature, since funding for improvements of State Highways comes from this branch of government.

Mac Haddow, State Legislator for the Legislative District of Sandy, then brought the matter up in Committee.

The State Legislature then contacted Sterling Davis, District Supervisor of State Roads for our area.

Mr. Davis called us, and told us that he had been in touch with Blanding City office, and he felt that there had been a misunderstanding, and for us to bring up the matter before the City Council.

He also explained to us that State funds for Highway improvements come from the Pedestrian Safety Fund.

In the past, the State has left it up to the cities to use these funds at their own discretion, but they have to be used for the improvements on State roads, e.g. sidewalks, curb, gutter, or other improvements related to pedestrian safety.

He also told us that if money for curb, gutter, sidewalk, or other improvements related to pedestrian safety, on State Highways in our specific area had not yet been appropriated, it could still be applied for.

He told us then, that we were and are still within our rights to expect equal treatment to any landowner on the State Highway.

We feel that the refund is due us!!!

Mac Haddow requested for your answer in writing, so he will be able to report to the committee.

Respectfully,
S/ DeLamar Gibbons, M.D.
Alberta J. Gibbons

P. O. Box 734
Blanding, Utah 84511

The following excerpts from the minutes of the Zoning Board of Adjustment meeting held April 23, 1980 were read to the Council:

April 23, 1980
Board of Adj. Hearing

Dr. Gibbons said there would be 7-fourplexes or 28-units and would meet City set back standards which are 7 feet side, 25 feet front, 20 feet rear, and others listed in the ordinance. There will be a drive through street from Main to 500 South. Presented signature sheet of 25 signatures.

Some question was raised about the required percentage of signatures (75%) required).

Ned Palmer voiced concern of increased traffic coupled with Park traffic, too many families on such a small parcel of land. He also reminded all present of the situation about a year ago when Mr. Marks wanted to build a commercial shop in a residential zone and at that time it was said no exceptions or variances would even be considered.

Dr. Gibbons rebutted that as far as he was aware there was very little traffic generated by the park. Also, that in other areas 20 times the volume of people lived in this size of plot.

Philip Palmer stated that the project will be required to install curb, gutter and sidewalk and the street widened out to alleviate some traffic congestion.

Mr. Jim Dandy made a statement regarding the need for additional housing in this growing community.

Ned Palmer stated that he was aware of 15 homes for sale now in town so where is there a housing shortage?

Lynda Shumway reminded all that at present interest rates it is impossible to qualify for a loan to purchase housing. Also, that rental customers are generally not the same as those able to purchase. She mentioned her canvassing of the neighborhood and was aware of only 4 opposed to the project.

Perry Allen stated that he preferred the housing project to the alternatives such as service station, bowling alley or shopping center, but he would like to see the site drawings.

Dr. Gibbons asked for a clarification as to whether an auto body shop could go in or not, then the matter was dropped.

Gene Blickenstaff asked about rent subsidy, if this project permitted that and how many were on this program at the other apartments.

Dr. Gibbons explained that both projects were capable of rent subsidy renters and gave some figures of the formulas for these programs.

Considerable discussion of the matter then ensued during which the following was borne out:

1. Simultaneous to the Gibbons' curb, gutter and sidewalk installation, the City was carrying out a curb, gutter and sidewalk installation program on the same Main Street Block, in which the adjacent property owner paid one-third and the City two-thirds of the project cost. The City costs were funded from Pedestrian Safety funds granted the City by the State of Utah.

2. The Gibbons development plans were approved subject to their installation of curb, gutter and sidewalk on adjacent streets.

3. At no time did any City official state that a refund would be forthcoming to Gibbons for curb, gutter and sidewalk installation; that the City Recorder had advised Mayor Gibbons that in his opinion fairness and equity would be served by utilizing State Pedestrian Safety grant funds equally in the area under discussion; and that, if left to his sole discretion, he would reimburse Gibbons for two-thirds of the curb, gutter and sidewalk costs incurred by them on the Main Street side of their project.

Mayor Bradford stated that opinions expressed by City personnel or third parties, did not and could not constitute an official action of the City.

Councilman Black requested that the record state that the City was involved in no wrong doing in this matter, that it had acted legally and that any decision relative to refund should be based only on whether such would be fair and equitable.

Motion was made by Councilman Osborn, seconded by Councilman Black and unanimously carried that the City refund to the Gibbons Family Corporation an amount equal to two-thirds of costs which Blanding City would have incurred had Blanding City installed the curb, gutter and sidewalks on the west side of Main Street from a point 100 feet south of the Northeast Corner of Block 53 to the Southeast Corner of said Block, the same involving 320 feet of curb and gutter at \$6.72 per foot and 240 feet of sidewalk at \$6.16 per foot, the total refund being \$2,419.20.

5. The Recorder advised the Council that the annual Utah Department of Transportation area seminar is scheduled January 28, 1982 at 9:00 o'clock A.M. in the County Courthouse, Monticello, Utah. All elected and administrative officials of the City are invited to attend.

6. Motion was made by Councilman Black, seconded by Councilman Osborn and unanimously carried that the City adopt and approve the following organization chart:

(See other side for chart)

CITY OF BLANDING

Governing Body
(Mayor and Council)

PROPOSED ASSIGNMENTS RELATIVE TO REVISED ORDINANCE TITLES

Mayor
Chief Executive Officer

Title 1-000 through
8-999
Organization
Administration of Affairs
Appointments
Property and Finance

City Council

Assignment #1: Title 9-000 10-200 10-300 10-400	Assignment #2: Title 11-000	Assignment #3: Title 12-000	Assignment #4: Title 13-000 10-100	Assignment #5: Title 14-000 14-200
Business Reg. Licensing Health and Sanitation	Public Works	Planning and Zoning	Public Safety	Utilities
Business Licensing	Streets	Planning Commission	Police Dept.	Water System
Building Reg.	Airport	Board of Adjustments	Fire Dept.	Sewer System
Public Health		Task Committees	Safety Insp.	
		Assignment #6: Title 14-300 Elec. System Board		

7. Motion was made by Councilman Black, seconded by Councilman Osborn and unanimously carried that the City make an application to appropriate water, as available, from the Cottonwood Canyon drainage west of the City.

8. Motion was made by Councilman Smith, seconded by Councilman Osborn and unanimously carried that Mrs. Clea Johnson be appointed to the office of City Councilmember to fill the unexpired term of Councilmember Cleal Z. Bradford whose resignation was required to permit his accepting election to the office of Mayor; Mrs. Johnson's term of office to expire December 31, 1983.

Mrs. Johnson was advised by telephone of her appointment and she came immediately to the meeting.

The Recorder administered the Oath of Office to Clea S. Johnson who duly accepted her responsibility as a member of the City Council.

9. Consistent with the organization chart approved in Item 7 above, Mayor Bradford requested the Councilmembers accept the following assignments:

Assignment #1, Clea S. Johnson
Assignment #2, Don E. Smith
Assignment #3, J. Carl Osborn
Assignment #4, Francis M. Lyman
Assignment #5, Bruce N. Black
City Power Board, Mayor and Council

Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the councilmembers accept the foregoing assignments; that the Mayor and City Council be appointed the Municipal Power Board as defined and required under Chapter 14-300 of the revised ordinances of Blanding City; and that the Power Board meet on the third Wednesday of each month at the hour of 7:00 o'clock P.M. during Mountain Standard Time and at the hour of 8:00 o'clock P.M. during Mountain Daylight Saving Time.

10. Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the City Recorder be authorized to purchase a new copying machine for the City as he deems adequate and within budget limitations.

11. With the advise and consent of the City Council, Mayor Bradford appointed Mr. Lynn Laws and Ms. Karolyn Romero members of the City Planning Commission with terms expiring 2-1-86 and 2-1-83, respectively.

12. With the advise and consent of the City Council, Mayor Bradford appointed Mrs. Patsy Shumway and Mr. J. Carl Osborn to the Zoning Board of Adjustment with terms expiring 5-31-85 and 5-31-86, respectively.

13. Following limited discussion the Mayor and Council agreed that appointment of a Health Officer and Health Board should be deferred to a later meeting.

14. The Council approved the following Task Committee assignments to serve under the direction of the Planning Commission:

(See Chart on other side)

T A S K C O M M I T T E E S

Hugh Kirkham

City Enlargement
Annexation

Dan Shumway
Gary Guymon
Clyde Watkins
Randy Bayles
Carolyn Black
Eugene Shumway
Paul Mantz
Charlotte Black

Lynda Shumway

Parks &
Recreations

Lyle Johnson
Suzanne Johnson
Lynn Lee
Judy Mainord
LaRue McDaniels
Patsy Shumway
Bryce Redd
Ruth Nielson
R. D. Laws

Karolyn Romero

Public Safety

Bevan Wright
Joslyn Johnson
Lynn Wright
Francis Lyman
Rick Mainord

Carl Osborn

Industrial
Development

Harold Lyman
Clea Johnson
Steve Bronson
Bruce Shumway
Norman Johnson
Ray Palmer
Beppy Gibbons
Marsha Keele

Lynn Laws

Water
Development

Bruce Black
Don Smith
Ken McDonald
Hugh Kirkham
Norman Nielson
Clisbee N. Lyman

15. The following information was furnished to the Council by Mayor Bradford:

BITS AND PIECES FROM TRAINING
League of Cities and Towns
December 1981

The city is a creation of and is guided in purpose by state statutes.

Of various optional forms of government for 3rd class cities, Blanding is using the form where no action other than initial information by the state was required, ie. five councilmen plus mayor, with manager as executive administrator.

The mayor cannot vote unless there is a tie of the council members present. The mayor's vote cannot be a third vote if only two council members are present. It takes three votes of the council members (either for or against) to conduct business.

The manager serves at the pleasure of the council and on a state level each appointment does not exceed three years. (Blanding has used two years.)

The city recorder is to keep a copy of all city ordinances and amendments in a designated place. A ten-year review/update is suggested to consider possible outdated ordinances.

The Council should establish its philosophy of government and organize in harmony with that philosophy before establishing short-range goals.

In most areas the county will work to provide a $\frac{1}{2}$ half mile fringe area in harmony with city zoning ordinances.

Abatement of dangerous buildings as per city code standard usually requires citizens being involved and applying public pressure, otherwise, it appears as if the city government is being oppressive.

In regard to city hiring/firing policies, what used to be a good idea is now a mandate to protect city officials. To hire, we should advertise in publications and with Job Service to list major job requirements. When on the job for the first day the city should provide a written job description and orient the employee as to expected working procedures. We should also provide ongoing training in job responsibilities with regular staff meetings for orientation and information exchange.

General Information:

Mayor presides at meetings, recommends and proposes policy/budget
Council votes/acts on policy/budget plus establishes goals.
Manager implements and administers policy/budget by established procedure.
Everyone advises everyone else and complains because nothing is happening (except in Blanding).

16. Mayor Bradford advised the Council that the San Juan County Water Conservancy District Board will meet January 15, 1982 at 7:00 o'clock P.M. at the Blanding City Hall and requested councilmembers attendance.

17. Mayor Bradford reported that he discussed with Mr. Clisbee Lyman, President of the Blanding Irrigation Company, the possibility of Blanding City purchasing Water Rights from the Irrigation Company. Mr. Lyman advised that he feels it is necessary for the Irrigation Company to define its position with the San Juan County Water Conservancy District prior to negotiating with Blanding City relative to water rights or water stock sales.

18. Mayor Bradford reported that there were 18 persons in attendance at the last alcohol-Drug Committee meeting; that the committee is functioning with 5 groups representing various segments of the community; and that current activities are largely educational.

19. Mayor Bradford reported that the San Juan County Health Board has requested preparation of Plans and Specifications for a possible emergency medical center to be added to the San Juan Nursing Home. He also reported that the County Health Board has determined to continue the leasing of clinics to County physicians.

20. Councilman Smith requested information relative to conflict of interest which would result from his company bidding on improvement projects currently being programmed by the City. It was concluded that the law would permit his participation in the bidding process subject to his making a statement for public record, disclosing his interest.

21. The Recorder presented to the Council, a General Fund Operating report for the period July 1 - December 31, 1981 indicating current department budget balances.

22. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1982-1

A RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT FOR ARCHAEOLOGICAL MITIGATION AT
THE PROPOSED SEWER LAGOON SITE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between Brigham Young University and the City of Blanding involving archaeological excavation at the proposed sewer lagoon site located in the Northeast Quarter of the Southeast Quarter of Section 15, Township 36 South, Range 22 East, SLB&M, a copy of said agreement to be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 13th day of January, 1982.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

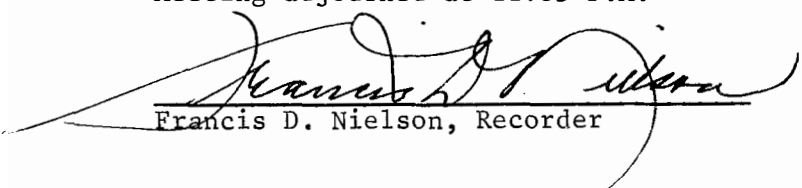
23. The Engineer advised the Council that the Sewer Treatment Facility plans and specifications are currently being prepared and that the project is proceeding according to schedule.

24. The Recorder reported to the Council that the 200,000 interest free Water Resources Board loan will be closed as soon as the related City water improvement projects are ready for the bidding process; that this will necessitate the Council making decisions as to the scope of the Blanding Tunnel and Johnson Creek pipeline inlet-structures.

25. The Assistant Administrator advised the Council that the San Juan County Commissioners have requested the County Attorney to review and revise the City-County-School District cooperative recreation facilities agreement for consideration by all pertinent agencies at the earliest convenience.

26. The Assistant Administrator reported to the Council that the San Juan County Commissioners rescinded their earlier action redistricting the school board election districts, leaving the previous districts unchanged.

Meeting adjourned at 11:05 P.M.


Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JANUARY
27, 1982 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws

Also present were: Miss Jana Lyman, San Juan High School Student Representative to the City Council; Mr. Howard Randall, Blanding Chamber of Commerce; Mrs. Marsha Keele; Mrs. Barbara Kuipers; Mr. ^{Roger} Laws, Mr. Ron Dickamore, U. S. Forest Service.

1. Prayer was offered by Councilmember Johnson.
2. Minutes of City Council meeting held January 13, 1982 were approved.
3. The Council discussed with Mr. Ron Dickamore, Ranger, U. S. Forest Service, the probable revising of plans for stabilizing the diversion works and Blanding tunnel portal at Indian Creek. Mr. Dickamore advised that the proposed revision will require an environmental assessment by the Forest Service and that plans and specifications relative to the project should be submitted at the earliest possible date to allow ample time for the review process.
The Council also discussed with Mr. Dickamore, maintenance and repairs necessary to the Blanding Watershed fence which, by agreement, is the responsibility of the U. S. Forest Service. Mr. Dickamore stated that no funds have been allocated for watershed fence maintenance and suggested that the Forest Service might avail of materials if Blanding City could furnish manpower to effect the necessary repairs.
4. Motion for adoption of the following revisions to Chapter 13-200 of the Revised Ordinances of the City of Blanding, Utah was made by Councilman Black and seconded by Councilman Lyman:

PROPOSED CHANGE
ANIMAL CONTROL ORDINANCE 13-200 et seq.

The present Blanding City Animal Control Ordinance 13-200 et seq. provides for the impound of animals but fails to provide sanctions against owners of animals allowing violations of the ordinance. The changes clarify the powers of animal control officials and provide sanctions against owner-violators.

Proposed Additions:

13-211.1 The Animal Control Director, his deputies, assistants and Animal Control officers are hereby authorized and empowered to apprehend and take with them and impound any animal found in violation of this ordinance and including licensable dogs for which no license has been procured in accordance with this ordinance, or any licensed or unlicensed dogs for any other violation thereof.

13-211.2 In the enforcement of this ordinance any peace officer or the Director of Animal Control or his assistants are authorized to enter onto the open premises of any person to take possession of any dog in violation of this ordinance.

13-280 VIOLATION. Any person or owner violating the provisions of this ordinance either by failing to do those acts required herein or by doing any act prohibited herein, shall be guilty of a Class B. Misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Proposed Deletion:

13.244 (D) Any dog running at large in violation of the provisions of this section is hereby declared to be a nuisance and a menace to the public health and safety, and the dog shall be taken up and impounded as provided herein.

Voting on the motion being as follows:

Those voting "aye": Councilmember Black
Councilmember Johnson
Councilmember Lyman
Councilmember Osborn
Councilmember Smith

Those voting "nay": None
constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried and the revisions to Chapter 13-200 of the Revised Ordinances of the City of Blanding, Utah duly adopted and approved, said revisions to become effective March 1, 1982.

5. Mr. Howard Randall of the Blanding Chamber of Commerce presented to the Council a brief report of Chamber of Commerce activities for Calendar Year 1981, as well as a proposed schedule of events for Calendar year 1982 inclusive of an estimated activity budget totalling \$4,700.00.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City accept the report of the Blanding Chamber of Commerce for Calendar Year 1981; that the said Chamber of Commerce be approved as the Blanding City Task Committee on advertising and Community Promotion to function under the City Planning Commission, and that budgetary requirements of such task committee be considered in the annual city budgetary process.

6. The Council discussed possible financial arrangements for purchase of water from the San Juan Water Conservancy District as such may become available resultant from their completion of the Recapture Dam.

Motion was made by Councilmember Osborn that the City invest \$200,000.00 in government securities for such period as may be possible, the proceeds from such investment to be allocated to payment of \$20,000.00 annually to the San Juan Water Conservancy District for funding purchase of water from them, and the balance to be compounded into the investment fund.

The motion received no second and was declared defeated.

Motion was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried that the City invest \$160,000.00 of surplus funds from the Electric, Water and Sewer Operating and Investment funds in U. S. government securities for such period as may be possible up to forty (40) years; that \$20,000.00 in earnings from the same be allocated annually to payment of water to be purchased from the San Juan Water Conservancy District as such may become available from them through their Recapture Dam project.

7. The Recorder reviewed with the Council, the balance sheet and operating statement for the Electric, Water and Sewer Fund for the period July 1 - December 31, 1981.

8. At the request of Mayor Bradford the Council approved the Planning Commission reviewing and making recommendations for revision of the City Sub-Division Ordinance.

9. Councilmember Johnson discussed with the Council possible inequities and omissions in City business license assessments as well as possible resultant sales tax losses.

10. Councilmember Osborn reported the following to the Council:

A. Mr. David Lacy desires to sell his curb, gutter and sidewalk concrete installation forms.

B. At a special meeting of the Planning Commission the members accepted their assignments; approved the task committee organizational structure and the recommended committee memberships; agreed to complete committee appointments and scheduled an orientation session for the committees at regularly scheduled Planning Commission meeting to be held February 3, 1982.

C. A municipal planning specialist from the University of Utah will address the Planning Commission at their regular meeting on March 3, 1982.

11. Councilmember Smith reminded the Council of the Utah Department of Transportation area meeting for local governmental officials to be held in the San Juan County Courthouse January 28, 1982 at 9:00 A.M.

12. The following letter was read in full to the Council by the Recorder:

Intermountain Consumer Power Assoc
January 22, 1982

Blanding City Corp.
Blanding, Utah 84511

Gentlemen:

We have been notified that Utah Power & Light Company has filed with the Federal Energy Regulatory Commission (FERC) a wholesale power rate increase. Utah Power & Light's filing documents indicate that this rate increase will be approximately 40 percent, effective March 11, 1982.

Since this increase will affect your customers as well as ours, we believe that an intervention in this filing is necessary. Since the Tri-State Intervention Group was very affective in reducing Utah Power & Light's last rate filing (FERC Docket No. ER 79-121), we are urging that that group or a similar group be re-formed for the purpose of intervention in Utah Power & Light's new filing. In this regard, a meeting has been setup to discuss the possibilities of forming an intervention group for the latest Utah Power & Light wholesale filing. This meeting will be held at the Intermountain Consumer Power Association offices at 8722 South 300 West, Sandy on January 29, 1982 at 9:00 a.m. We would encourage you to attend this meeting, but if you are unable to attend and wish to participate with the group, please contact me at 566-3934 for further information.

Sincerely yours,
S/ Ted Rampton
Edward C. Rampton
Manager of Resources

ECR:yt

Motion was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried that the City participate with other interested parties in an intervention before the Federal Energy Regulatory Commission relative to a filing by Utah Power and Light Company for a rate increase approximating 40 percent on wholesale power sales, said participation to include payment of costs as pro-rated on the basis of power purchased from Utah Power and Light Company.

13. The Recorder advised the Council that purchase of the land necessary to proposed improvements at the Blanding Airport has been complicated by a Federal Aviation Administration regulation allowing only a 15% increase in land costs over the official appraised amount without documented evidence that the appraisal is below actual value. The required documentation is now being sought to permit revising of the Utah Department of Transportation original appraisal of the Lyman Farms property.

14. The Engineer reported to the Council that the elderly housing project scheduled for development on the northwest corner of Block 30 has been approved by the building inspection department subject to the following requirements:

1. Plans and specifications to conform to the Uniform Building Code of the International Conference of Building Officials.
2. Payment of Development Fee - \$70.00
3. Payment of Street Excavation Fee - \$30.00
4. Payment of Building Permit and Plan Checking Fees per the Uniform Building Code Schedule.
5. Water connection and installation of a 2" water meter at a fee of \$5,265.00.
6. Sewer connection to be completed by developer at a fee of \$5,400.00.

7. Curb, gutter and sidewalks completed on both sides of property at developers expense with bituminous surfacing from street to driveway at Northeast corner of the property.

Motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that a building permit be issued to Interstate Homes, Special Development Division, for construction of elderly housing at the Northwest Corner of Block 30 in accordance with the terms and conditions stated above.

15. Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that Councilmember Francis M. Lyman be appointed Mayor Pro Tempore from date hereof to and including December 31, 1983.

Meeting adjourned at 10:30 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD FEBRUARY
10, 1982 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson
City Engineer Philip L. Palmer

Also present were: Mr. Kimball Young of Boettcher and Company; Mrs. Marsha Keele.
Councilman Lyman, Mayor Pro Tempore conducted the meeting through Item 11.

1. Prayer was offered by Councilmember Osborn.
2. Minutes of City Council meeting held January 27, 1982 were approved.
2. Councilmember Black raised the question of working relationship between City employees and discussed also the need for general maintenance at the Water Treatment Plant as well as specific direction relative to duties of the water system superintendent.
4. Councilmember Johnson presented a list of businesses whose City licenses are not current and discussed with the Council general licensing matters.
5. Councilmember Lyman presented the monthly Police Department report for filing.
6. Councilmember Osborn presented a brochure from the University of Utah relative to community planning and stated that Mr. Jack McDonald of the University of Utah will address the Planning Commission meeting scheduled for March 3, 1982, on the subject: "The Planning Process and the Comprehensive Plan".

Councilmember Osborn reported that the Planning Commission met with their assigned Task Committees on February 3, 1982; that the Task Committee members accepted their respective assignments; and that the following reorganizations and assignments were completed, subject to the advise and consent of the City Council:

Health Committee: (Reorganization)

James D. Redd, M. D.
Rayburn Jack
Kathleen G. Lyman
Shanna Wheeler
R. Dwight Laws, Staff Representative

Assignments:

Greg Christensen to Industrial Development Committee
Clea S. Johnson removed from the Industrial Development committee and assigned to the City Enlargement and Annexation Committee.
Vanessa Bradbury to the Industrial Development Committee
Dick Netsosie to the Industrial Development Committee

Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that the City Council give its advise and consent to the foregoing Health Committee reorganization and other Task Committee assignments.

7. Councilmember Smith reported attending the Utah Department of Transportation area meeting for local officials held at the San Juan County Courthouse January 28, 1982. UDOT officials advised that both the Utah State Senate and House of Representatives passed legislation during their recent legislative session, revising the Class B & C and Collector Road programs which will be less restrictive in the use of program funds but will result in a net loss of Collector Road funds to the City because the Collector Road program is being broadened to include all municipalities of the State.

8. Councilmember Smith discussed with the Council the advisability of revising the in-plant water pump at the water treatment plant with a smaller horsepower unit which can be more efficiently, automatically operated. The Council agreed that the Engineer and Councilmember Smith should resolve this matter as they deem wise.

9. Councilmember Smith suggested that the San Juan County Road Department should be commended for their efforts and assistance in keeping City streets open and intersections sanded during snow storms and freezing weather.

10. The Engineer reported that the earthwork on the Blanding Recreation Complex has been completed by the San Juan County Road Department at a cost of approximately \$32,000.00.

11. Following notice that the curb, gutter and sidewalk concrete installation forms of Arrowhead Construction are for sale at a price of \$1,200.00, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried, that, subject to confirming the price to be fair and reasonable, the City should buy the said forms at the quoted price.

12. Mayor Bradford reported that at a meeting in the Monticello City office, attended by himself, the City Administrator and Mr. Rick Terry, Monticello City Manager, it was agreed that a letter exchange stating each City's understanding of proposals offered them by the San Juan Water Conservancy District relative to participation in the Recapture Dam and Monticello Reservoir projects, would serve to reach an agreement with the district on the matter.

13. The Engineer reported that our consultants on the proposed Indian Creek diversion and Blanding Tunnel project have determined that 6' diameter corrugated metal pipe sections approximately 4' in length can be installed in the tunnel by starting at the portal and working into the tunnel a section at a time. This method would require raising the tunnel back to a point above the floor sufficient to accommodate the 6' pipe sections and upon completion would permit limited use of mechanized equipment in tunnel maintenance should such be required in the future.

14. The Council discussed possible methods and the necessity for periodic sewer line maintenance. No action was taken on the matter.

15. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1982-2

A RESOLUTION ADOPTING A CITY HIRING POLICY

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the following Hiring Policy be adopted as the official hiring policy of the City of Blanding:

HIRING POLICY

All personnel shall be hired to perform consistent with a respective job description.

Positions or job vacancies, not subject to the appointment process, shall be filled in accordance with the following procedure without regard to race, color, creed or national origin:

1. All positions to be filled shall be advertised, inclusive of job description, with the Utah State Department of Employment Security and may be otherwise advertised as deemed proper in the circumstances, for a period of not less than fourteen (14) days.

2. Job applicants shall complete an application furnished by the Utah State Department of Employment Security and an application furnished by the City of Blanding.

3. Applicants shall be screened by the City Administrator and as necessary, by the pertinent department supervisor or superintendant and unqualified applicants eliminated.

4. Qualifying applicants shall be interviewed by the City Council and they will make the final selection.

The probation period for all employees or appointees is ninety (90)

days and they may be dismissed without prior notice or obligation during this period.

PASSED, ADOPTED and APPROVED this 10th day of February, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

16. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1982-3

A RESOLUTION ADOPTING JOB DESCRIPTIONS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City adopt job descriptions for the offices and positions of Chief-of-Police, City Administrator, Assistant City Administrator, City Recorder (Finance Officer), Clerk-Typist, Lead Maintenance Worker, Office Manager-Executive Secretary (Treasurer), Police Officer, Police Sergeant; Street Department Supervisor, Waste Collection Worker (Laborer), and Water and Sewer Department Supervisor; that a copy of said job descriptions be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 10th day of February, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

17. Motion for adoption of the following resolution was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried:

RESOLUTION NO. 1982-4

A RESOLUTION ADOPTING PERSONNEL POLICIES

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City adopt policies and regulations for the administration of matters relating to employee conduct and benefits during tenure with the City, to be known as the City of Blanding Personnel Policies, a copy of which is to be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 10th day of February, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

18. Motion was made by Councilmember Lyman, seconded by Councilmember Johnson and unanimously carried that the City join the Rural Water Association of Utah, inclusive of paying membership dues of \$110.00 for the current calendar year.

19. Councilmember Osborn reported that the Local Work-Education Council has indicated they may possibly have labor available for the proposed Blanding Watershed maintenance project and he will follow up on the matter.

20. The Council discussed briefly the necessity for establishing a current policy on per diem expense authorization and payment.

Meeting adjourned at 10:10 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD FEBRUARY
24, 1982 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent were:

Councilmembers: Bruce N. Black
Clea S. Johnson

Also Present were: John B. Wright, Chief of Police
Thomas E. Austin, Sergeant
Dennis W. Gutke, Patrolman
J. Merlin Grover

1. Prayer was offered by Councilmember Lyman.
2. Minutes of City Council meeting held February 10, 1982 were approved.
3. John B. Wright, Chief of Police, introduced and gave background information to the Council on the Alcohol-Drug education program currently being conducted by the Police Department under grant from the Utah State Division for the Prevention of Alcohol and Drug Use.
Patrolman Dennis W. Gutke demonstrated for the Council, the Safety Jake puppet program being utilized by the police department in public relations and Alcohol-Drug education efforts with the elementary school children and exhibited printed materials associated with the project.
Sergeant Thomas E. Austin presented to the Council the alcohol-drug education program as related to teenage children inclusive of printed material. He advised that the Police Department will be instructing the 8th and 10th grade health classes at the high school on drug and alcohol matters and will coordinate their efforts with other agencies concerned with such programs.
4. Mr. Merlin Grover discussed with the Council damage sustained at his residence from a sewerage back up into his basement resultant from a sewer main blockage near the intersection of 4th West and 4th North Streets. Mr. Grover was advised to prepare a statement relative to the matter, for submission to the City's insurer.
5. The Engineer discussed the following matters with the Council:
 - A. Wastewater Treatment Project.
The archeologists have completed the required field work and will file a final report in the near future.
The engineering consultants have filed a layout plan with the Utah Department of Health which required only minor revisions on City-owned property.
The City Attorney is now preparing the required Land-Use Agreement for J. Glen Shumway and Sons consideration.
 - B. City Maps.
The current aerial photographic map together with prints of the same were presented for Council review.
 - C. Water Distribution System.
The engineering consultants are in process of placing the water distribution system information on their computer prior to completing design for proposed distribution lines and pressure regulating equipment installation.

D. Sewer Collection System Maintenance.

Information is currently being collected and personnel assignments considered relative to regular maintenance of the sewer collection system.

E. Water Treatment Plant Inspection.

Utah State Department of Health representatives inspected the Water Treatment Plant on Tuesday, February 23, 1982 and will respond by letter relative to their findings and recommendations relative to plant operation.

F. Concrete Installation Forms (Curb, Gutter and Sidewalk)

David B. Lacy delivered curb, gutter and sidewalk installation forms to the City shop.

6. The Recorder notified all present of a special meeting to be held March 1, 1982 at 12:01 P.M. in the City Hall for the purpose of considering the sale of General Obligation Sewer Improvement bonds.

7. Mayor Bradford advised the Council of a Bureau of Land Management Public Administrators Forum scheduled for March 3, 1982, 11:30 A.M. in Monticello, Utah, which he will attend and request that the City's proposed application for federal land lying adjacent to the City be placed on the forum agenda.

8. Mayor Bradford reported that owners of Shirttail Service have filed a suit in the District Court against San Juan County resultant from the San Juan County Commission denying them a license to sell beer. The Council agreed that they are in support of the County position and will take formal action indicative of such support at the next regular council meeting.

9. Mayor Bradford reported that the Utah Department of Indian Affairs will attempt to locate and catalog businesses desiring to relocate and/or expand their operations, who might be benefited tax-wise by locating on an indian reservation.

10. Councilmember Lyman advised the Council that he will attend a meeting sponsored by the Utah Taxpayers Association and the Utah Association of Public Accountants, scheduled for March 18, 1982, for the purpose of discussing the effects of tax legislation adopted by the recent session of the Utah State legislature.

11. Councilmember Osborn reminded the Council of the Planning Commission meeting scheduled March 3, 1982 at 7:00 P.M. in the City Hall where Mr. Jack McDonald from the University of Utah will discuss "The Planning Process".

12. Councilmember Smith reported that the City Water Task Committee met February 23, 1982 and discussed their role and assignment as a Planning Commission Committee.

13. Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City accept the terms and conditions of an oil and gas lease offered by R. G. Scholl and that the Mayor be authorized to execute the same.

14. Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that Mr. Eric P. Swenson, Attorney-at-Law, be appointed prosecutor for the City to handle cases involving controlled substance violations pending before the District Court on Kyle Lyman, Jimmy and Paul Pritchard.

Meeting adjourned at 9:05 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MARCH 10,
1982 AT 7:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Also present were: Philip Sabey; Debra Sabey; Patricia Seltzer; Tim Keough; Vanessa Bradbury; Donn M. Pillmore; Barry Simpson; Steve Simpson; D. Gordon Redd; Jeannie Johnston; Richard L. Johnston; Marsha Keele; Eugene Orr, Scoutmaster and Jimmy Montella, Wayne Johnson, Jeff Montella, Lorin Kartchner, members of Boy Scout Troop No. ; P. Kent Fairbanks, AIA.

1. Prayer was offered by Councilmember Osborn.

2. Minutes of City Council meeting held February 24, 1982 were approved.

3. Mr. P. Kent Fairbanks, AIA, presented plans and specifications for a proposed Airport Administration building.

Motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that the plans and specifications for an Airport Administration Building as presented by P. Kent Fairbanks, AIA, be accepted and that the City advertise for bids for construction of such building, to be opened April 14, 1982.

4. Mr. Steve Simpson asked the council if the meeting agenda includes consideration of annexation of property lying adjacent to the south boundary of the City. The Council advised that the agenda contains no such item and they have no current plans relative to such matter.

5. Mr. Donn Pillmore asked the Council if they intended action during the meeting to authorize expenditure of City funds for assisting San Juan County in defense of suit filed against them by the owners of Shirttail Service resultant from the County denying such business a license to sell light beer.

The Council advised that the matter of such beer license request denial and subsequent law suit are of concern to the City, and requested that Resolution No. 1973-2, A Resolution Reiterating the Position of Blanding City Relative to the Sale of Light Beer Within the Corporate Limits of Blanding City and Its Environs, be read for the benefit of those present, as an indication of Council opinion in the matter.

The following individuals expressed themselves as being favorable to a beer license being granted to Shirttail Service and opposed to Blanding City expending funds in assisting the defense of San Juan County in the matter of the before stated law suit:

Donn M. Pillmore	Philip Sabey	Debra Sabey
Patricia Seltzer	Tim Keough	Vanessa Bradbury
D. Gordon Redd	Jeannie Johnston	Richard L. Johnston

The following letter was read to the Council by Mayor Bradford:

March 10, 1982

Blanding City Council:

Since I am unable to attend the Council Meeting tonight I would like to express my displeasure in the city (Blanding) trying to annex property to and including Shirt Tail Corner.

I am very much against Blanding City Council using city funds to oppose the granting of a liquor license to Shirt Tail Corner.

Sincerely,
S/ Martha Lyman

Recorders note: Martha Lyman resides out-of-city limits and is not a citizen of the City of Blanding

The Council agreed that the decision to lend legal and/or financial assistance to San Juan County in the foregoing matter must await discussion of the same with the City Attorney.

6. Mr. Donn Pillmore inquired of the Council as to the status of crosswalks and signals for 4th South-Main Street and 1st East-Center Street. The Engineer advised that executed contracts relative to this matter have been returned to the Utah Department of Transportation and installation must await their notice to proceed.

7. Following discussion of the hazards created by large trucks speeding on highway U. S. 163 through the City, the Council agreed that greater emphasis should be given the matter by the Police Department.

8. The Engineer presented the following street construction-maintenance program for the ensuing season:

STREET IMPROVEMENT PROJECTS-1982
(Proposal)

A. Armour Coat Asphalt Surfacing

- 1-200 So. (2E. to 3E.) Prepare Surface Apply Armour Coat
- 2- 400 No. (2W. to 3W.) Prepare Surface Apply Armour Coat
- 3- 100 W. (4S. to 5S.) West Side-Prepare Surface Apply Armour Coat
- 4- Kigalia Apts (3W. at 5N.) To Lip of curb Surface Apply Armour Coat
- 5- 100 W. (5N. to 8N.) Prepare Surface Apply Armour Coat
- 6- 800 N. (1W. to 3W.) Prepare Surface Apply Armour Coat
- 7- 400 N. (5W. to Edge of Cedars) S. J. County
- 8- Pioneer Estates (100 E., Rogers Lane, Pioneer Drive)
- 9- Questionable - Alma Palmer, Jerry Adams, Holly Vowell, Ned Smith.

B. Additional Ply - Armour Coat or Chip Seal

- 1- 300 W. (550 N. to 1200 N.) Also(5S. to 6S.)
- 2- 200 W. (5N. to 7N.)
- 3- 600 N. (2W. to 3W.)
- 4- 700 N. (2W. to 4W.)
- 5- 600 S. (2W. to 3W.)

C. Crack Seal - Entire System

D. Patching - Swimpool, 200 E. 500 S., Dip at Husky

E. New Construction

- 1- 800 N. (Main to 1E.) Gravel only and Culvert
- 2- Waterway (5S. 1W.)
- 3- Elderly Housing.
- 4- 300 West - Widening (Ctr. St. to 800 N.) extend culverts
- 5- Planning Stage:
 - a. 500 N. (1E. to Hwy 191)
 - b. 800 N. (1E. to Hwy 191)

F. Curb, Gutter, Sidewalk

- 1- 100 West (All the way)
- 2- 200 West (2S. to 4S.)
- 3- 200 N. (Main to 1W.) (1E. to 2E.)
- 4- 100 E. (Ctr. St. to 2N.)
- 5- Main St. (Ctr St. to 1N.) Curb only.

The Council agreed that the foregoing program should be presented to the San Juan County Commission and Road Department for review and cost estimates prior to establishing priorities relative to carrying it out.

9. The Council requested the Administrator gather cost information on street sweeping equipment.

10. The Council agreed that traffic signs should be installed at the intersection of 5th North-1st West Street and requested the Engineer and Police Department determine the location and type of signs to be installed.

11. Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that Sergeant Thomas E. Austin be granted a salary increase of \$100.00 per month effective retroactively to March 1, 1982.

12. Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the City Administrator be authorized to obtain a backhoe under a lease-purchase arrangement from Century Equipment Company.

13. The Assistant Administrator presented to the Council for information purposes, the following notice which will be given to citizens whose dogs are found to be in violation of the Dog Control Ordinance:

COURTESY WARNING

In the interest of fairness and in response to an obligation to the citizens of our community, this information is provided to you.

The City Council has adopted changes to the Blanding City Ordinances relative to animal control. The new ordinance clarifies the powers and duties of the animal control director, his assistants, and the peace officers. It allows them to enter upon the open premises of any person to take possession of any dog in violation of the animal control ordinance.

In addition, the Blanding City Council has provided a penalty for persons or owners allowing dogs to run at large or for violations of other sections of the act and have provided that said violations shall be deemed a Class B. Misdemeanor punishable by up to six (6) months in jail or a fine of not more than \$299.00.

Any of the following may place you in violation of the City Dog Ordinance No. 13-240 thru 13-256.

1. Failure to obtain an annual license.
2. Failure to obtain the necessary rabies shots.
3. Harboring or maintaining a stray (you are therefore deemed to be the owner and thus responsible).
4. Allowing your dog to leave your premises unattended.
This includes letting the dog out for a brief run.
You are responsible, even if unaware they have left the premises. You are expected to take the necessary precautions. Each day is a separate offense.
5. Allowing your dog to disturb neighbors by barking or offensive odors.
6. Maintaining or keeping a vicious dog.
7. Interfering with city traps or the city official in performance of his duty.

This ordinance is now in effect and this notice constitutes a final warning to you when signed by an authorized official. If the violation continues you may be issued a citation by the City Police, or a complaint may be signed against you in the City Court.

We trust this information will make you aware of your responsibility relative to this ordinance. Your cooperation in solving this serious city problem is appreciated.

City of Blanding

14. Mayor Bradford presented to the Council, architects drawings of proposed additions to the San Juan Nursing Home, indicating that such additions would require the use of the 100 foot strip on the south side of the nursing home property for driveways and parking area, eliminating the same from proposed development as a City street.

15. Following discussion of the possibility of the San Juan Center being the applicant for Federal land situated at the west edge of the City, motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the City rescind its notice of intent to make application for such land subject only to verification that the San Juan Center is a legal applicant in the matter.

16. Mayor Bradford discussed with the Council, the law enforcement arrangement at White Mesa. Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that Blanding Police Officers accept and carry authority cards issued by the Ute Mountain Ute Tribe for use in instances requiring their services at White Mesa.

17. Councilmember Johnson advised the Council that the secretary, Mrs. Karalee Austin, is sending follow-up billings on business license assessments.

18. Councilmember Osborn requested that Mr. LaRell Van Dyke, D.D.S. be appointed to the Task Committee on Health, to which the Council gave its advise and consent.

19. Councilmember Osborn reported that the Planning Commission held its regular meeting on March 3, 1982 and received instruction from Mr. Jack McDonald of the University of Utah on "The Planning Process"; that all Task Committees are functioning and making progress.

20. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that City-owned land adjacent to U. S. Highway 163 and East of the Blanding Airport Runway be reserved for use as an Industrial Park.

21. Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the City Attorney prepare information to be presented at the next regular Council meeting relative to possible City participation in the defense of a law suit filed against San Juan County resultant from their denial of a license to Shirttail Service for the sale of light beer.

Meeting adjourned at 11:15 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MARCH 24,
1982 AT 7:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Engineer: Philip L. Palmer
Deputy Recorder: Richard D. Laws

Absent were:

Councilmember: Clea S. Johnson

Also present were: Ron Dickemore, Ike Chamberlain, Sam Chamberlain, Barry Simpson, Steve Simpson, Cindy Simpson, Richard Johnston, Jeannie Johnston, Craig Halls, Marsha Keele, Bret Larsen, Merrilee Larsen, Donn M. Pillmore, Clisbee Lyman.

1. Prayer was offered by Councilmember Don Smith.
2. Minutes of City Council meeting held March 11, 1982 were approved.

Francis Lyman Chaired the meeting until the arrival of Mayor Bradford.

3. Sam and Ike Chamberlain presented a video tape on solar heating. It explained the savings and benefits of such energy use. The City is looking at the possibility of such systems on the new airport building. Sam estimated about a five year payback for such an installation.

4. Ron Dickemore, District Ranger, addressed the City on several issues. He has researched the special use permits that the City is using. He said that they have 7-10 permits now with Blanding City, DWR, and the Irrigation Board. He showed maps of the systems (Philip was given a copy of the map and also the information presented by Mr. Dickemore). Mr. Dickemore said that several things need to be corrected on the system. He hopes to simplify the permits from 7 or 8 down to 2 or 3. This may require the City & Irrigation getting together. Council suggested that Ron, Bud, Clisbee, and Philip get together and work it out. Philip will meet with the Irrigation Board at their meeting tomorrow night.

Mr. Dickemore then discussed a watershed fence that needs repair to protect the water from cattle. He mentioned that the City had indicated that they would come up with some manpower if the Forest Service would supply the materials. He wanted to know who would maintain the fence if it were built to standard. The Council felt that someone should go look at the fence. Mr. Dickemore needs 30-90 days to order materials so he needs to know what type of fence and if the City will participate. Philip and Mr. Dickemore scheduled April 13 as a tentative date to ride the fence line.

Mr. Dickemore said that the Forest Service would like to put an officer in Blanding one day each month to issue wood permits etc. The Council said they will check with Bud to see if the Council room is available and to clear a date (first Friday of each month suggested).

The Red Bluff Camp Ground trees are dying. Therefore they have a safety problem. Mr. Dickemore said they must cut all old trees and alleviate use of the area in order for young aspen to grow (5-10 years). They will close the campground this year. If the City can get someone to Survey and draw a plan for another location, as well as get donated labor, then the Forest Service would be willing to review such a plan for approval.

Mayor Bradford arrived and assumed the chair.

5. Attorney Craig Halls discussed the issue of a beer license being denied by the County to a recent applicant. The City had requested the he investigate the best way the City can support the County and whether or not tax monies could be used by the City for this purpose. He suggested several means might be used, such as resolutions from the City of Blanding and the Ute Tribe, and letters from adjoining land owners. These documents could be presented to the County Commissioners encouraging them to modify and stiffen the present County ordinances. Such modifications should include:

- Require written approval of any municipality if within 11 miles of corp. limits.
- Have authority to poll residents & deny on majority voting against.
- Require local impact study by applicant.
- Require certain applicant qualifications, ie. no felonies etc.
- Include list of reasons for which an application may be denied, such as, public sentiment, impact on community, increased burden on taxpayers in the form of additional police, traffic problems, more jail space, detention facilities for minors. etc. etc.

Mr. Halls further said that the City cannot now intervene and at this time has no right to appear in a suit that has already begun. However, the City can introduce argument to protect it's interest as a friend of the court. He said that financial support to defend the city's position is authorized under police power for protection of health, order, peace, safety, and welfare of the City. In other words the City can spend city taxes to help the County fight the beer licensing.

At the request of Mr. Donn Pillmore, the following letter written by him, was read in full to the Council by Mayor Bradford (spelling and punctuation per the writer).

I would like to reiterate the position, of a large percentage of people in Blanding, Utah, on the use of City funds to help fight a lawsuit that has been brought against the San Juan County, and also the Resolution No. 1973-2.

To begin with I would like to ask the City Council to take immediate action to dissolve Resolution No. 1973-2 because of its extremely discriminator nature against an entire race of people, and also because it has no hard basis for its claims. Upon dissolving the Resolution if the council feels that another resolution of this sort is necessary I contend that a secret poll be held for only the Blanding City residents since this is only a city resolution.

Before the City Council decides to draw up a new resolution the so called "area of influence" question had better be looked into extensively because as our mayor indicated the county compensates the city in either trade off or by other means for any fire protection or police protection provided, and even if they didn't, simply because the city provides fire porteciton doesn't have very much to do with a mans right to sell package beer.

If a secret ballot is held in the city of Blanding, it should be very clear that this is not a vote to vote in the sale of beer. The sale of beer is already legal in San Juan County. This is would simply be a poll to determine whether or not there is sufficient need in the city of Blanding to justify the issuance of a license to fullfill this need. In light of this, the out come of the poll should be given to the county commission in order for them to make a decision as to whether or not their is sufficient need to justify a lisence. I would like to reiterate that this would not be a vote -- the sale of Beer is already legal this would simply be a poll, and a majority would not be necessary to show a need!

Coming down to the use of city funds to help fight a lawsuit against the San Juan county, I would suggest that the city council would be acting against the wishes of a large percentage of peopole in Blanding Utah and I would also suggest that, if the city council takes action to dissolve Resolution No. 1973-2 that the city would loose the flimsy ground on which they are trying to justify the use of city funds.

Because of the large number of people that are against the use of city funds in any manner, whether it be cash, or the use of city personnel, I want to make it quite clear to the city council that it would be extremely difficult for the city to do so with out extensive legal justification of their position and I content that since it involves the tax payers money, a city vote would be necessary. I would ask that the city review their position on both of these matters and that they take appropriate action. Thank You.

Councilmember Lyman then made a motion that the City Manager write a letter to the County Sheriff asking his opinion about the impact of beer, and to write another letter to the County Attorney asking him to meet with the Council on this issue at the next meeting. Don Smith seconded the motion and the voting was unanimous (4-0).

6. The following resolution was read in full to Council by Councilmember Lyman:

RESOLUTION NO. 1982-7

A RESOLUTION STATING THE POSITION OF BLANDING CITY
RELATIVE TO THE SALE OF LIGHT BEER WITHIN OR IN
CLOSE PROXIMITY TO THE CITY OF BLANDING AND ITS
ENVIRONS.

WHEREAS, Blanding City Ordinance Number 9-410 prohibits the sale of light beer within the City of Blanding in accordance with power granted by Section 34-4-17 of the Utah Code Annotated, 1953; a2d

WHEREAS, the granting of a retail license for the sale of beer on the premises for consumption on or off the premises closer to the corporate limits of the City of Blanding than those currently existing would tend to defeat the purpose of the existing ordinance and would be contrary to the desires of a majority of the Citizens of the City of Blanding and of the City Council; and

WHEREAS, the granting of a retail license for the sale of beer or other intoxicating liquors closer to the corporate limits of the City of Blanding than those currently existing will detrimentally effect and be harmful to the comfort, safety and welfare of the inhabitants of the City of Blanding and is harmful to the public interest and will detrimentally effect the physical safety of pedestrians and the welfare and physical safety of drivers in and about the corporate limits of the City of Blanding, and will harmfully effect the good order and well being of the Blanding City Corporation and its inhabitants; and

WHEREAS, the granting of a retail license for the sale of beer or other intoxicating liquors closer to the corporate limits of the City of Blanding than those currently existing will heighten the incidence of local violence and disorder and will be counterproductive to the maintenance of good order throughout the municipality and its surrounding environs and will severely effect, to the detriment of the municipality, the preservation of peace and order and the preservation of health of the population and will hamper both City and County governments in their power to secure the peace consistent with local ordinances, laws of the State and the State or Federal Constitution; and

WHEREAS, the granting of a retail license for the sale of beer or other intoxicating liquor closer to the City of Blanding than those currently existing will tend to encourage acts and practices which would promote immoral or indecent behavior which will detrimentally effect the public health, order, peace, safety and welfare of the inhabitants of Blanding and its surrounding environs and will detrimentally effect the ability of the City of Blanding and San Juan County to protect the respective City and County to protect the respective City and County inhabitants in their person and in the protection of property; and

WHEREAS, the granting of a retail license for the sale of beer or other intoxicating liquor closer to the City of Blanding than those currently existing would establish a precedent whereby others seeking such license in an area closer to the City could claim entitlement;

NOW, THEREFORE, be it resolved by the City Council of the City of Blanding, Utah that the San Juan County Commissioners be advised that the granting of a retail license authorizing the sale of beer or other intoxicating liquors in the area closer to the City of Blanding than those currently existing would not be in the best interest of the citizens of the City of Blanding nor the citizens of the County of San Juan, because the granting of such a license will be harmful to the public health, morals, order, peace, safety and welfare of the inhabitants of the County and its incorporated Cities and will detrimentally effect the ability of both government entities to protect the citizenry from the harmful effects as described in their person and in the protection of their properties.

PASSED, ADOPTED and APPROVED this 24th day of March, 1982.

Cleal Z. Bradford, Mayor

Attest:

Richard D. Laws, Deputy Recorder

Motion for adoption of the foregoing resolution and to rescind Resolution No. 1973-2 was made by Councilmember Smith, and seconded by Councilmember Lyman. Voting on the motion was as follows:

Those voting aye:
Councilmember Black
Councilmember Lyman
Councilmember Smith

Those voting nay: none

Those Abstaining:
Councilmember Osborn

Whereupon Mayor Bradford declared the motion carried and Resolution No. 1982-7 duly adopted and approved.

7. Attorney Halls addressed the performance bond issue on the airport building. Some local contractors had asked if it might be waived. He said it is within the City power to waive bond requirements, however, it may put responsibility back on the City. The Council decided not to change the requirement.

8. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1982-8

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN
THE CITY OF BLANDING AND J. GLEN SHUMWAY, ET AL RELATIVE
TO LAND APPLICATION OF SEWER EFFLUENT.

Be It Resolved by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding; and J. Glen and Eva Shumway, Dayne L. and Lois Shumway, and Bruce L. and Margaret Shumway relative to use of land for application of sewer effluent; that a copy of said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 24th day of March, 1982.

Cleal Z. Bradford, Mayor

ATTEST:

Richard D. Laws, Deputy Recorder

9. Councilmember Black asked about the community pump and well near Ken Palmers that has been planned for community use. The Council said that now is the time to enact the position taken earlier by the Council, namely, to install a coin operated water service at that location for the cattlemen and general public. The Council requested a report on this for the next meeting.

10. Councilmember Lyman reported that the police have advised trucking companies by phone, with a follow-up letter, to observe city speed limits. He read into the minutes the following memo from Police Chief Wright:

TO: CITY MANAGER
SUBJECT: TRUCKS SPEEDING

The following information is submitted in accordance with your request.

1. As suggested, a personal phone call was made to each trucking firm that could be identified as doing business in the Blanding area. Each company was very positive in desiring to cooperate with us. A list of the firms is included as an attachment.
2. A letter was sent to each company as a follow-up. A copy of the letter is attached and the firms are listed on the attachment.

3. A radar Survey of truck traffic was conducted. The average speed was 33 mph with a low of 26 mph and a high of 40 mph. There were two warnings issued for excessive speed. Those trucks traveling at higher speeds are trucks not controlled by the firms we contacted.
4. We will continue to monitor the truck traffic and issue warnings and citations as necessary. If there is any further action that you would recommend, please let me know.

Sincerely,

s/J.B. Wright
Chief of Police

11. Councilmember Osborn reported that the Planning Commission's Industrial Development committee has established goals and is operational. They feel that their first goal is to help existing businesses. Mr. Hunt of the Bakery was planning to leave but the committee has persuaded him otherwise. Mr. Hunt expressed concern with the parking near his business. Councilmember Osborn requested that the City Council approve sending 5 people to St. George and Cedar City to see the industrial parks recently developed there. Councilmember Osborn put the request in the form of a motion which was seconded by Councilmember Black and voting was unanimous.

Councilmember Osborn reported that the Curb, Gutter and Sidewalk, and Streets committee has been formed. Members are Judy Mainord, Janet Wilcox, Bill Sabey, Kent Tibbetts, Terry Windor.

12. Councilmember Smith was concerned about bumps left by contractors that tear up city streets. He asked if these contractors and individuals have bonding. He wondered if the ordinance has been enforced and felt that if not it should be.

13. Engineer Philip Palmer reported that the contract to acquire flashing warning signs had been lost up state. The new ones have arrived. Councilmember Lyman made a motion to authorize the Mayor to sign the new contract. Second by Councilmember Osborn and voting unanimous.

14. Assistant City Administrator Dwight Laws said that the trailer located at the airport needs to be moved to make room for new construction. The Council agreed that the trailer should be moved as soon as possible.

15. Jana Lyman has been sitting in with the City Council as part of her School experience. She reported that the High School is working on a leadership conference to be held at the San Juan High School.

Meeting adjourned at 10:50 P.M.

Richard D. Laws, Deputy Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD APRIL 14,
1982 AT 7:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Administrator: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator Richard D. Laws

San Juan High School Representative: Jana Lyman

Also present were: Mr. P. Kent Fairbanks, AIA, Harman and Fairbanks; Ernest J. Sonderegger; Joe N. Hurst; Shauna Hurst; Sam Chamberlain; Lewis Black; Jack L. Groneman; Kearrey Thomas; Jay McDaniel; LaRue McDaniel; Marsha Keele; Howard Randall.

1. Prayer was offered by Richard D. Laws.

2. Proposals for construction of an Airport Terminal Building at the Blanding Municipal Airport were opened, read aloud and duly tabulated as follows:

Name of Bidder	Base Price	Alternate One (Deduct)	Alternate Two (Deduct)
Groneman Const. Inc.	88,952.00	12,000.00	10,000.00
Hurst Const. Co.	102,363.00	11,286.00	3,100.00
E, J, Sonderegger Const.Co,	104,760.00	11,286.00	9,300.00
National General Bldrs, Inc	82,720.00	10,900.00	9,300.00

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that subject to the unqualified legal opinion of the City Attorney that legal matters pertaining to the bid procedure, bid documents and ability of the contractor to perform as proposed, the bid of National General Builders, Inc. for construction of an airport terminal building at the Blanding Municipal Airport be accepted; that a decision relative to the acceptance of the base bid or an alternate bid price be made at the regular council meeting to be held April 28, 1982.

3. Minutes of City Council meeting held March 24, 1982 were approved.

3. The following letter was read in full to the Council:

Blanding Utah Stake
March 31, 1982

Honorable Mayor and City Council
Blanding, Utah

San Juan County Commissioners
Monticello, Utah

San Juan Record
Monticello, Utah

Gentlemen:

Ordinarily, representatives of the Church of Jesus Christ of Latter Day Saints do not take side on political issues. As individual citizens we are encouraged to be involved and support the elected officials. However, when a moral issue is in question we feel the position of the Church should be declared.

We do not wish to offend our neighbors and friends of other faiths and we respect their right to their own beliefs.

Now there is an issue that is causing a division of opinions in the community. This is the question whether beer should be sold in or near the City of Blanding.

We feel that beer should not be sold in or near the City of Blanding for the following reasons:

1. Beer and alcoholic drinks are not good for men. The Lord has said this. Statistics, studies, and experience have proven that the use of alcohol causes misery, loss, and destruction.
2. The majority of the people in and near to Blanding do not want it sold here.
3. As an owner of property at shirttail corner the Church objects to the sale of beer in the vicinity.

We support our local officials and express our appreciation for the city and county officials who devote their time and talents to serve our communities. We will sustain and honor the decision that will be made.

Sincerely yours,

S/ Fred E. Halliday
President
Blanding Utah Stake

Preston Nielson
President
Blanding Utah West Stake

5. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1982-9

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
FOR ADMINISTERING THE CITY OF BLANDING GENERAL
OBLIGATION SANITARY SEWER BONDS, SERIES 2-1-82,
FUND

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Site Agreement by and between the City of Blanding and Zions First National Bank for administering the City of Blanding General Obligation Sanitary Sewer Bonds, Series 2-1-82, Fund; that a copy of said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 14th day of April, 1982.

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

6. The Council offered commendations to Miss Jana Lyman, San Juan High School representative to the City Council, for her receipt of a "Sterling Scholar Award".

Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the City of Blanding mail letters of commendation to all San Juan High School students who participated in the Southeastern Utah District Sterling Scholar program.

7. Gerald M. Black, Water Superintendant reported to the Council as follows:

- A. The water treatment plant is now operating at greater efficiency and water analysis reports are positive.
- B. Current water use is approximately 400,000 gallons per day.
- C. Johnson Creek Pipeline water is now going into the Westwater Reservoir, the ditch water is going into the Park Reservoir from which the culinary system is now being supplied.

8. The Assistant Administrator reported the following:

- A. 184 dogs have been impounded since completion of the dog pound; approximately 150 have been destroyed. The provisions of the revised dog control ordinance are being utilized relative to establishing ownership responsibility, with apparent positive results.
- B. The Blanding Recreation Complex development is proceeding on schedule. Surplus utility poles for the lighting system have been purchased from Utah Power and Light Company at considerable savings and will be delivered to the site during the ensuing week. Additional information on sprinkling systems is still being sought from various suppliers.

9. The following report was given by the Engineer:

- A. The Street Signing - House Numbering survey, necessary to proposed postal delivery service, is nearing completion.
- B. Paul Foreman, San Juan County Roads Sign Shop Operator, will paint the signs necessary for completing the City Street Signing Program. The Council agreed that further study and information are necessary relative to sign base material.
- C. Necessary maintenance to the Park Reservoir ditch has been completed and large rocks have been blasted out of the upper ditch.
- D. A trip by snowmobile to the north side of the Blanding Tunnel indicated that engineering data necessary to the proposed Indian Creek diversion works and tunnel adit project, would have to be gotten following snow melting to the point where vehicle travel to the area is possible.
- E. The Upper Ditch will now carry approximately 9 CFS and must be enlarged for the City to utilize fully its Blanding Irrigation Company water stock.
- F. Installation of pumping facilities to transfer water from the Park Reservoir to the Westwater Reservoir are being delayed as it appears both reservoirs will be filled from the Johnson Creek Pipeline and/or irrigation ditch.
- G. ~~The proposed inspection~~ of the Blanding Watershed fence by horseback has been postponed pending more favorable weather and ground conditions.
- H. Utilization of the Substation Water Well as a loading area for water transporters needs further discussion and consideration as it is difficult to get a required volume of water from the facility, access is poor and the equipment difficult to service and maintain. The Council agreed that the water loading facilities at Continental and Park Streets should be repaired and placed in operation.
- I. Some problems still exist at the Water Treatment Plant. Air infiltration into the filter beds is resulting in diminution of the filter material and the general maintenance of building and grounds needs priority attention.
- J. Scheduled water distribution system projects are as follows:
 - 1. Abandonment of the 10" steel line south from the 1. M.G. storage reservoir and installation of a 1" line to serve Kloyd Perkins and sons.
 - 2. Replacement of the plastic line serving the area west of approximately 500 West on Westwater Road.
 - 3. Replacement of the line on 300 South Street from 3rd East to the East City limits.
 - 4. In-house design of the 8" line proposed from 1st West to 2nd West on 7th North and 7th North to 1st North on 2nd West Street is anticipated to be complete and ready for bidding in June.

- K. Regular sewer maintenance with present equipment is virtually impossible and data on other equipment and chemicals is currently being accumulated.
- L. The sewer treatment plant project is approximately 30 days behind schedule and is now expected to get into the construction phase in July.
- M. Efficiency in systems operation would be enhanced by the following revision in personnel assignments:
 - 1. Gerald M. Black - Water Treatment Plant and Water Collection System operation.
 - 2. Harold P. Mosley - Water Distribution System and Sewer collection System operation.

The Council agreed that such revisions should be effected.

10. The Administrator discussed the following items with the Council:

- A. Realignment of the sewer outfall line at Shirttail corner requires crossing land owned by J. Rex Nielson. Mr. Nielson proposed to sell the City of Blanding 1.92 acres of ground which would adjoin the north edge of the proposed sewer lagoons at a price of \$8,840.00 and exchange with the City his remaining 5 acres in the area for 5 acres of City-owned land adjoining U.S. Highway 163 in the NE $\frac{1}{4}$, Section 10, Township 37 South Range 22 East SLB&M, such acreage to be no greater in depth from the Highway than 345 feet. The Council agreed that such an exchange would not be in the best interest of Blanding City and requested the Administrator negotiate further on the matter.
- B. The Blanding City General Obligation Sanitary Sewer Bonds, Series 2-1-82, in the amount of \$930,000.00 were delivered to Kirchner Moore and Company in Denver, Colorado on April 8, 1982. Proceeds from sale of the bonds, including interest of \$22,659.02 were transferred to Zions First National Bank on the above date; \$930,000.00 was placed in a construction fund and immediately invested in government securities maturing July 7, 1982 and earning interest at 14.25% per annum; \$22,659.02 was placed in a bond redemption and interest fund and invested in U. S. Treasury Notes which mature monthly, earning interest at approximately 13.95% per annum.
- C. The Tri-State Intervention Group of which Blanding City is a member, met in Salt Lake City at the offices of the Intermountain Consumer Power Association on April 7, 1982 to hear a report from attorneys and rate analysts retained to oppose the Utah Power and Light Company rate increase request currently before the Federal Energy Regulatory Commission known as Docket No. ER82-211.

Counsel reported success in obtaining a postponement of any rate increases for a period of five months while the request is under review and in requiring that Moon Lake Electric Company be included in the proceedings within the R-S 4 category.

The group agreed that the following issues relative to UP&L filings and claims should receive emphasis as the hearing before the FERC proceeds:

- 1. Cost of Capital - Rate of Return.
- 2. Rate Base.
- 3. Revenues and Expenses.
 - a. Allocation of Coal Costs.
 - b. Method of allocating general and administrative expenses.
- 4. Rate Design.
- 5. Cost Allocation.
 - a. Inclusion of all classifications of customers in wheeling charge cost allocation.
- D. The State of Utah has revised the required Operating Budget adoption date from June 30 to June 15 annually.
- E. We would effect efficiency in operations by programming the City financial records of account into the computer system now being used for utility billing.

Following discussion of the matter, motion was made by Council member Black, seconded by Councilmember Smith and unanimously carried that the City contract with Mesa Computer Company for development of a program to place Blanding City financial records on computer, with the City and Company participating equally in cost of the program development

and equally owning the program for purposes of possible commercial marketing of the same.

- F. Customer service, personnel operating efficiency and computer operating space warrants some remodeling of rooms 101,102 and 103 of the City Office Building.

Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the Administrator be authorized to effect necessary remodeling of rooms 101, 102 and 103 of the City Office Building.

11. Mayor Bradford advised the Council that Richard D. Laws has been hired on a part-time basis by the San Juan Planning Development Council and requested that he be able to utilize the office now assigned to him as a part-time City employee. The Council consented to such an arrangement.

12. At the request of Mayor Bradford, Howard Randall, President, Blanding Chamber of Commerce presented the following calendar year 1982 Chamber of Commerce Agenda and Budget for review by the Council:

BLANDING CHAMBER OF COMMERCE
Blanding, Utah 84511

Agenda and 1982 Proposed Budget

February	Citizen-of-the Year Banquet	\$ 400.00
May	Spring Clean-up	
June 7-12	Jeep Week	200.00
July 3-5	Frontier Days	1000.00
April 24	Tour U-95	200.00
August	Blanding Invitational	300.00
September 4	Golden Circle Marathon	400.00
October	Deer Hunter Booth	100.00
December	Santa Visits Blanding	300.00
	Ads-Printing-Paper-Postage	600.00
	Total	<u>\$3500.00</u>

Proposed Revenue:

Memberships	\$1500.00
City of Blanding	1500.00
Fund Raisers	500.00
	<u>\$3500.00</u>

13. Mayor Bradford reported that the recent meeting of the Alcohol-Drug Committee heard Bruce K. Halliday, San Juan County Attorney, detail the status of current drug arrest cases as well as his proposed defense of the San Juan County Commission suit resultant from their denial of a permit to Shirttail Service for the sale of light beer. Mr. Halliday advised that such defense would be centered on the authority of the Commission to make such decisions.

14. The following proclamation was issued by Mayor Bradford

A PROCLAMATION DECLARING MAY 8-15, 1982
AS BLANDING CITY CLEANUP-FIXUP WEEK

WHEREAS, the general health and welfare of our citizens depend upon wholesome surroundings arising from good, clean living conditions; and

WHEREAS, the lives and property of our people are endangered by fire and accidents caused by littered and cluttered conditions in homes, on vacant lots, in places of business and public assembly, alleys and streets; and

WHEREAS, a clean and beautiful community is a proud and prosperous one; and

WHEREAS, unity of effort is required for future development of our community;

NOW THEREFORE, I, Cleal Z. Bradford, Mayor of the City of Blanding, do hereby designate May 8 through May 15, 1982, as Clean-up Week and most respectfully call upon all departments of this City, its commercial organizations, civic clubs, schools, churches, boys' and girls' clubs and all other associations, and our people in general to take an active part in this constructive program of community improvement, to insure its success.

IN WITNESS WHEREOF I have hereunto set my hand this 14th day of April, 1982.

Cleal Z. Bradford
Mayor of Blanding City

15. Mayor Bradford reminded the Council of the value of studying and working at assigned responsibilities and then reporting progress and status of departments, projects and assignments.

16. Councilmember Johnson reported positive progress from followup in the licensing of contractors and merchants of the area.

17. Councilmember Osborn discussed the following items with the Council:

A. Mr. Edward Scherick, Manager, Monticello Office, Bureau of Land Management, has expressed a desire to meet with the Council in their April 28, 1982 meeting. The Council agreed that Mr. Scherick could be heard under Item 3 of the proposed meeting agenda.

B. The State of Utah and San Juan County have proclaimed April 18 through 24, 1982 as Tourism Industry Week and the City of Blanding should also declare the same period as City Tourism Week.

The following proclamation was then issued by Mayor Bradford:

PROCLAMATION

WHEREAS, the Tourist Industry is very important to the economic strength of Blanding City; and

WHEREAS, there is a renewed effort throughout San Juan County to promote increased tourist business, with the County adopting a slogan, "San Juan County, Inviting - Unforgettable", and

WHEREAS, Governor Matheson has proclaimed April 18 through 24, 1982, as Utah Tourism Industry Week, and

WHEREAS, the San Juan County Commission has proclaimed April 18 through 24, 1982, as San Juan County Tourism Industry Week,

NOW, THEREFORE, I, Cleal Z. Bradford, Mayor of the City of Blanding, hereby proclaim April 18 through April 24, 1982, as Blanding City Tourism Industry Week, and request that each resident become a part of the effort to give the community an inviting personality and an attractive appearance.

Cleal Z. Bradford
Mayor, City of Blanding

C. The Planning Commission and related Task Committees are all functioning in their assignments. The following resignations and appointment recommendations are for consideration by the Council:

Resignations:

Karolyn Romero - from the Planning Commission
Richard D. Laws - from the Health Committee

Appointments:

Anna Benally - to the Planning Commission, term to expire
Karolyn Romero - to Parks & Recreation Committee
Don Pillmore - To Public Safety Committee
Melvin M. Halliday - To Public Safety Committee

The foregoing resignations were accepted and appointments received advise and consent by the Council.

18. The following recommendation from the Blanding Health Care Planning Committee for a proposed clinic site, was presented for Council information:

RECOMMENDATION FOR PROPOSED CLINIC SITE

The Blanding Health Care Planning Committee met March 23, 1982 and heard recommendations for possible clinic sites. Those sites included: 1) Nursing Home, 2) Sonderegger site, 3) present facility and 4) UNDC site. The committee agreed that the Nursing Home site would be most feasible due to availability of existing staff for emergency care around the clock.

This committee would like the Blanding City Planning Committee to recognize their sanction of this site and to consider a design plan for the clinic that would include a minimum of: 1) three doctor offices with three exam rooms per doctor, 2) an E.R. room large enough for two beds with curtain between, 3) one out patient surgery room, 4) a staff room to be shared by the clinic and nursing home, 5) a laboratory, 6) X-ray room, and 7) room with two holding beds. The clinic should be designed with room for future growth. This committee would also like to recommend that fifteen beds be added to the nursing home.

S/ Steve Bronson
Chairman

19. Following considerable discussion the Council indicated general support for industrial enterprise which may locate in the area, reserving specific support as may be warranted in a given situation.

20. At the request of Councilmember Smith a meeting of the Power Board was scheduled for Wednesday, April 28, 1982 at 7:00 o'clock P.M.

The meeting adjourned at a damned late hour!!!!

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD APRIL 28,
1982 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL.

Present were: Mayor Cleal Z. Bradford
City Councilmembers Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith
City Administrator: Francis D. Nielson
City Engineer: Philip L. Palmer
Absent was Councilmember Bruce N. Black

Also present were: Mr. Lynn A. Wright, Fire Chief; Mr. Edward Scherick, Manager Monticello Office, Bureau of Land Management; Mr. Sam Chamberlain; Mrs. Marsha Keele.

1. Minutes of City Council meeting held April 14, 1982 were approved.
2. Mr. Edward Scherick, Manager, Monticello office, Bureau of Land Management, discussed with the Council the following area programs and developments relative to the public lands currently under jurisdiction of the Bureau:
 - A. Studies currently being done relative to possible location of a nuclear waste repository near Gibson Dome.
 - B. Withdrawal of public lands for wilderness area designation.
 - C. Oil, gas and minerals exploration and production.
 - D. Recreation, including administration of the Grand Gulch primitive area.
 - E. Livestock grazing, wildlife management and range inventorying.
 - F. Programs for acquisition of land by governmental subdivisions.
 - G. Bureau landscape architect is currently preparing a development plan draft for the Recapture Reservoir recreation area.
3. Motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the Mayor, Administrator and Engineer be authorized to attend the Community Block Grant seminar to be held in Price, Utah on May 4, 1982.
4. Lynn A. Wright, Fire Chief, discussed with the Council, the hazards created by the dumping and burning of toxic substances at the City Dump. The Council agreed that the dump area should be cleaned regularly and signs erected indicating hazardous fumes and materials may be encountered.
5. The Council approved the exchange of the fire siren on the City Office Building for a Three-Phase siren unit which was to be placed at Bluff, Utah by San Juan County. The power supply at Bluff is inadequate for the three-phase unit and the exchange will make a warning system available to Bluff and afford a unit for Blanding with a much larger area of coverage.
6. Following discussion of possibly awarding a contract for construction of the proposed Airport Terminal Building, motion was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried that the City attempt to obtain funds through the Community Development Block Grant program sufficient to award a contract for construction of the Airport Terminal Building in accordance with the low bid submitted by National General Builders, Inc. inclusive of complete solar heat installation, in the amount of \$82,720.00; that in the event funds are not available through the Community Development Block Grant program,

a contract be awarded to the said company on the basis of their Alternate No. 2 proposal totalling \$73,420.00 with the City supplementing the Airport Construction Fund from the Electric, Water and Sewer Fund in the amount required to complete the funding.

7. The Engineer discussed the following items with the Council:

- A. Application is ready for execution and submission to the Utah Department of Transportation for Pedestrian Safety Program funds in the amount of \$14,600.00. The City will participate at the rate of 20% of the project costs. The application anticipates the following projects:

Sidewalk Construction.

U.S. Highway 163, 400 to 500 South

U.S. Highway 163, 100 East to 250 East (curve)

Curb, Gutter and Sidewalk Construction.

U.S. Highway 163, 100 North to 200 North (curve)

- B. Specific street maintenance and construction projects need selection on the basis of the County Surveyor's projects cost estimate. Following discussion the Council approved proceeding with the following projects:

A) Armour Coat		(Total Cost for Construction) (City pays percentage)	
1.	200 South - 200 East to 300 East	1st	1950.00
		2nd	1250.00
		pipe	800.00
2.	400 North - 200 West to 300 West	1st	1950.00
		2nd	1250.00
3.	100 West - 400 South to 500 South	1st	1300.00
		2nd	850.00
4.	Not a full block (Kigalia Apts.)		
5.	100 West - 500 North to 800 North	1st	8750.00
		2nd	5650.00
6.	800 North - 100 West to 300 West	1st	3950.00
		2nd	2550.00
7.	400 North - 500 West to Edge of Cedars	1st	1975.00
	(Possible County project)	2nd	1275.00
8.	Pioneer Estates	1st	22,900.00
		2nd	14,775.00
	Widen & Gravel		12,500.00
			<u>\$83,675.00</u>

B) Chip seal		(Total Cost for Construction) (City pays percentage)	
1.	300 West - 550 North to 1200 North		6425.00
2.	200 West - 500 North to 700 North		2150.00
3.	600 North - 200 West to 300 West		1150.00
4.	700 North - 200 West to 400 West		2300.00
5.	600 South - 200 West to 300 West		1150.00
6.	100 West - 300 North to 500 North (Curb side)		1000.00
7.	500 North - Main to 100 West (Curb Side)		475.00
8.	400 North - 300 West to 400 West & Cul-de-sac		2100.00
9.	300 West - 500 South to 600 South		1250.00
			<u>\$18,000.00</u>

E) New Construction (6" pit run, 3" gravel, 24" CMP,
30' X 760" length)

1. 800 North - Main to 100 East		
a. Grader preparing grade		
8 hrs @ 23.90		191.20
b. 6" Pit run base rock		
525 cu. yds. @ 10.5/load=46 loads		
46 loads @ 30 min./load=23 hrs		
1. Diesel Trucks 23 hrs @ 21.40		492.20
2. 950 loader 4 hrs @ 26.00		104.00
3. Grader 8 hrs @ 23.90		191.20
4. Rollers 8 hrs @ 6.50		52.00
5. Water Wagon 8 hrs @ 25.90		207.20
c. 3" of 1" minus gravel (4" loose)		
1. 272 cu yds of 1" minus @ 4.50		1224.00
26 loads @ 30 min each		
2. Diesel Trucks 13 hrs @ 21.40		278.20
3. 950 loader 2 hrs @ 26.00		52.00
4. Grader 4 hrs @ 23.90		95.60
5. Roller 4 hrs @ 6.50		26.00
6. Water Wagon 4 hrs @ 25.90		103.60
d. Operators 120 hrs @ 10.00		1200.00
Foreman 4 hrs @ 14.00		56.00
Subtotal		<u>\$4273.20</u>
24" pipe		<u>1000.00</u>
Total		<u>\$5273.20</u>

8. Following discussion of a possible land exchange with Mr. J. Rex Nielson relative to Sewer Project No. C490201-94, the Council approved exchange of land adjoining U.S. Highway 163, in Section 10, Township 37 South Range 22 East, SLB&M with dimensions of 500 feet on the Highway side by 610.5 feet in depth, for 6.92 acres of land adjoining the North boundary of the Blanding Sewer Lagoon property. The Administrator was requested to negotiate with Mr. Nielson on this basis and, subject to failure in the negotiations, to proceed with condemnation of a necessary sewer outfall line right-of-way across Mr. Nielsons land.

9. Mayor Bradford discussed with the Council, the need for community service projects in which the local Boy Scouts of America could become involved relative to completing merit badge requirements for obtaining the rank of Eagle. The Council agreed to give consideration to possible projects.

10. The Council again discussed the Dog control problem and concluded that the City Attorney should give counsel relative to interpretation and enforcement of the Dog Control Ordinance.

11. Councilmember Osborn reported the resignation of Norman L. Johnson from the City Industrial Development Committee, citing appointment to the San Juan Water Conservancy District and resultant related time requirements as making such resignation necessary.

12. Councilmember Johnson reiterated the necessity to remedy the hazardous condition at the City Dump relative to the depositing and burning of toxic substances.

13. The following report was presented on behalf of Councilmember Black by the Engineer:

1. Lynn Lyman has agreed, and will install a weir below the 4th Reservoir to measure FLOW, which apparently comes from LEAKAGE of 4th.
2. April 27 water flow from Dussett into 3rd reservoir approximately 6.8 gallons per minute. (checked by Phil & Bruce)
3. Water measurements at Parshall flume at Starvation.
 1. April 14 11-12 on scale - 9.9 cfs
 2. April 21 10-11 on scale - 8.6 cfs
 3. April 28 8⁰ on scale - 5.66 sd ft
4. Water Measurement at METERING FLUM north of Ervin Guymon property and North of the Knoll east of town.
 1. 24 sd ft 4/14/82
 2. 17 sd ft 4/21/82

3. 16 sd ft. 4/28/82

Water Well by Kenneth Palmer

35 to 40 gallons per minutes on a 1 hour test. 4/27/82

(Checked by Phil and Bruce)

14. Proposals for leasing of City pastureland lying adjacent to the Blanding Airport, for the balance of Calendar Year 1982, were opened, read aloud and duly tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Erwin Oliver	\$75.00
(Only one bid was received)	

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City accept the foregoing proposal for lease of pastureland.

Meeting adjourned at 10:45 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR CITY COUNCIL
MEETING HELD MAY 12, 1982 AT 8:00
O'CLOCK P.M. IN THE BLANDING CITY
HALL

Those present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
Carl J. Osborn
Don E. Smith

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
San Juan High Representative Jana Lyman

Assistant Administrator: Richard D. Laws

Also present were: Mr. Raymond Lyman; Mr. Sam Chamberlain

1. Prayer was offered by Jana Lyman.
2. Minutes of City Council meeting held April 28, 1982 were approved.
3. Mr. Raymond Lyman expressed the appreciation of the Blanding Chamber of Commerce for support and assistance rendered by the City. He also discussed with the Council, the following items:
 - A. The necessity of a telephone and answering service for the Chamber of Commerce.
 - B. The desirability of an information dissemination service for the Community, separate from that offered by the San Juan County Travel Council.
 - C. The proposed installation of a monument plaque at the Blanding Tunnel.

The Council agreed to give consideration to location and operation of a telephone and information dissemination service by the Chamber of Commerce and requested Chamber of Commerce officials to complete the fund raising, erection of and dedication program relative to the proposed Blanding Tunnel monument, said dedication program to be held July 5, 1982.

4. Motion was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried that the City accept the proposal of National General Builders, Inc., alternate No. 2 in the amount of \$73,420.00, for construction of a Terminal Building at the Blanding Airport; that the City make two applications to the Southeastern Utah Association of Governments in the amounts of \$9,300.00 and \$45,000.00, for inclusion of solar collector panels in the Airport Terminal Building and completion of funding for the Abajo Mountain Water Collection system project, respectively, with the latter bearing notation of being the first priority project for Blanding City.

5. Following discussion relative to mobil and modular homes, motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City set in motion the process necessary to revise Section 12-190-17B of Ordinance No. 12-000, ZONING, to permit so-called double-wide trailers permanent dwelling status when placed and secured on a foundation which is consistent with the building code requirements for such permanent residences.

6. Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that connections to the City water distribution system be permitted to customers outside the corporate limits of the City, subject to approval of each individual connection by the City Council; such customers to pay regular connection fees and bear all costs incident to connection and line extension.

7. The Engineer discussed with the Council a proposal to regulate pressure in the water distribution system by installation of Pressure Control Valves in watermains on 2nd South Street.

Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that the Mayor be authorized to execute an agreement with Horrocks Engineers for design, specifications and inspection necessary to the installation of two pressure control stations on the City water distribution system.

8. The Council agreed to the utilization of six CETA and Project Goodwork applicants during the summer work season.

9. The Engineer advised the Council that design drawings on the Wastewater Treatment Facility are 90% complete; that they will be submitted to the State Department of Health for review on June 1, 1982 and the review process estimated to be complete by July 1, 1982. Advertising for construction bid proposals will commence during the review period with bid opening anticipated in Mid-July.

10. Mayor Bradford reported that the San Juan County Health Facilities Board approved a draft proposal for an emergency care center to be added to the San Juan Nursing Home, for submission to the San Juan County Commission meeting scheduled May 17, 1982.

11. Councilmember Johnson advised that she is working on coordinating City and Chamber of Commerce efforts relative to the proposed City Cleanup-Fixup program. She also reported that the Juvenile Probation officer stated he has a number of juveniles with work assignments from the court who could be utilized in City cleanup and street maintenance projects.

12. Following limited discussion the council agreed that councilmember Lyman should advise the Police Department to enforce the provisions of Ordinance No. 13-312 relative to Curfew.

13. Councilmember Lyman advised the Council of the resignation of Patrolman Gutke from the Police Department, effective at May 31, 1982. The Council agreed that the advertising process relative to fulfilling the position of patrolman, should be commenced immediately.

14. Councilmember Osborn reported appointment of the following to respective Task Committees, which action was given the advise and consent of the Council:

Streets and Sidewalks:

Betty Pehrson

Maxine Nielson

Industrial Development

Kim Acton

Robert Hosler

Kirby Black, Alternate

15. The Council discussed the necessity for a replacement for John R. Seely, Street Superintendent, to continue department programs during Mr. Seely's recuperation from injury. It was agreed that if Mr. Seely requires considerably more convalescence time, a replacement will be hired.

16. Councilmember Smith reported to the Council the disconnection and re-connection of electricity for Account No. 8245-00 relative to account delinquency.

17. The Recorder presented for Council consideration, proposed Fiscal Year 1983 operating budgets for the General Fund, Class C Road Fund, Collector Road Fund, Revenue Sharing Fund, Debt Service Fund, Waste Collection and Disposal Fund and Airport Fund, as well as a cash statement for the Electric, Water and Sewer Fund.

18. The Council agreed that a meeting with San Juan County and Monticello City officials should be held Monday, May 17, 1982 for the purpose of establishing local priorities on projects eligible for grant application under the Community Development Block Grant program.

Meeting Adjourned at 10:35 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
MAY 26, 1982 AT 8:00 O'CLOCK P.M.
IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
J. Carl Osborn
Don E. Smith

City Administrator Francis D. Nielson
City Engineer Philip L. Palmer
Assistant Administrator Richard D. Laws

Absent was Councilmember Francis M. Lyman

Also present were: Zenos L. Black; LaRell C. VanDyke, D.D.S.; Steven Bronson;
Leona Bailey; Dora Shumway; Kerry VanDyke; Judy Mainord; Jim Kindred.

1. Prayer was offered by Councilmember Smith.
2. Minutes of City Council meeting held May 12, 1982 were approved.
3. Mr. Zenos L. Black, Mr. Steven Bronson, Mrs. Leona Bailey and Mrs. Dora Shumway discussed with the Council, the proposed operation and maintenance of the Blanding Golf Course by an association which they had been chosen to represent. They requested that Council consider allowing free water and electricity use at the Golf Course.
Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City of Blanding furnish water and electric service to the Blanding Golf Association for the operation of the Blanding Golf Course for a period of one year.
Councilmember Black requested the minutes state that in the operation of the Blanding Golf Course the operators should utilize the existing water well to the maximum possible and use Blanding reservoir water only to supplement the water well production as electricity is a cheaper commodity than water.
4. The Council discussed with Mr. Steven Bronson the proposed use of the 100 foot right-of-way south of the San Juan Nursing Home. It was agreed that a 60' wide traffic access would remain following proposed additions to the nursing home facility, inclusive of regulation curb with abutting sidewalk to allow the maximum possible automobile traffic area.
5. Following a discussion with Mr. LaRell C. Van Dyke, D.D.S. motion was made by Councilmember Black, seconded by Councilmember Johnson and unanimously carried that the City appropriate \$200.00 for the local Boy Scouts of America in payment for their cleaning up the area around the City solid waste dump.
6. Mr. Steven Bronson advised the Council that the Grayson Mall Revenue Bond resolution is ready for consideration by the Council at that time when interest and market conditions become favorable to the proposed Grayson Mall project.
7. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1982-10

A RESOLUTION AUTHORIZING CONDEMNATION OF 35+
ACRES NEAR BLANDING, SAN JUAN COUNTY, UTAH

A meeting of the City Council of the City of Blanding, State of Utah, was held at the Blanding City offices, Blanding, Utah on the 26th day of May, 1982. A quorum of the City Council being present, whereupon the following resolution was offered, seconded and adopted:

RESOLVED, by the Blanding City Council, hereafter Council, that it finds and determines and hereby declares: The public interest and necessity require the acquisition of certain properties for sewer development purposes. The public interest and necessity require immediate occupancy for said public purpose of the real property, or interests in real property, hereinafter described.

The acquisition of the property hereinafter described is necessary for the development of the waterworks and supply system for the City of Blanding.

This action is authorized by the Statutes and Constitution of the State of Utah and particularly Title 10, Chapter 7, Section 4, Utah Code Annotated, 1953, as amended.

BE IT FURTHER RESOLVED by the Council that the City Attorney shall be requested, on behalf of the City:

To acquire, in the name of the City, the said hereinafter described real property, or interests in real property, by condemnation in accordance with the provisions of the Statutes and of the Constitution of Utah relating to eminent domain;

To prepare and prosecute such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such acquisition;

To obtain, from said court, an order permitting the City to take immediate possession and use of said real property, or interests in real property, for sewer development purposes, or purposes incidental thereto.

BE IT FURTHER RESOLVED, that the Blanding City Treasurer shall be requested, on behalf of the City:

To prepare Warrant in the amount of the approved appraisal of each parcel of real property, or interest in real property set forth and described herein; payee to be the Clerk of the District Court of the County wherein the real property is located, for the use and benefit of the landowners and/or lienholder as described herein;

That a tender to the landowners of a sum equal to the fair market value of the property to be acquired for rights of way herein shall be made prior to issuance of Order of Immediate Occupancy;

The real property, or interests in real property, which the City is by this resolution authorized to acquire for said public use, is situated in the County of San Juan, State of Utah, and is described as follows:

RECORDED OWNERS: J. Glen Shumway and Eva Shumway;
Dayne Shumway and Lois Shumway; and
Bruce Shumway and Margaret Shumway.

ADDRESS: Blanding, Utah 84511

PARTIES IN INTEREST: NONE

LIENHOLDER: NONE.

APPROVED APPRAISAL:

A parcel of land in fee for sewer development purposes, described as follows:

Beginning at the East $\frac{1}{4}$ Corner of Section 15, Township 37 South, Range 22 East, Salt Lake Base and Meridian, set point being a stamped Aluminum Cap. Thence South $0^{\circ}01'0''$ East along the East line of the above said Section 15, a distance of 1321.16 feet to the Southeast Corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15; thence South $89^{\circ}46'53''$ West along the South line of the above said Northeast $\frac{1}{4}$ of the South-

east $\frac{1}{4}$ 522.54 feet; thence North $0^{\circ}01'0''$ West 234.38 feet; thence South $89^{\circ}56'37''$ West 1456.34 feet to the West line of the East half of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the above said Section 15; thence North $0^{\circ}04'17''$ East along above said West line 1074.67 feet to a barbed wire fence; thence along an existing barbed wire fence for the following five (5) courses: (1) North $89^{\circ}56'37''$ East 672.05 feet; thence (2) South $89^{\circ}36'33''$ East 168.48 feet; thence (3) South $34^{\circ}44'49''$ East 1078.02 feet; thence (4) North $87^{\circ}47'27''$ East 490.72 feet; thence (5) North 883.01 feet; thence leaving said fence and running East 16.14 feet to the point of beginning.

DATED this _____ day of May, 1982.

CITY OF BLANDING

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

8. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that Mr. Greg Christensen be reappointed to the Blanding City Zoning Board of Adjustment for the period beginning June 1, 1982 and ending May 31, 1986.

9. The Engineer reported on and discussed with the Council, the following items:

A. Blanding Culinary Watershed Fence Inspection.

An inspection of the Blanding Culinary Watershed fence on the Abajo Mountains was made by the Engineer, a representative of the U. S. Forest Service and representative of the company holding grazing permits in the area, on May 25, 1982. The fence was found to be in need of considerable maintenance if the watershed is to remain closed to grazing.

The Council agreed that the U. S. Forest Service should obtain fencing materials necessary to the needed Blanding Watershed fence repairs and that the watershed should remain closed to livestock grazing.

B. Revision of Section 12-190-17B, Blanding City Zoning Ordinance.

Following further review of the purpose and intent of Section 12-190-17B of the City Zoning Ordinance, it was determined that a revision of the same would be counter productive to the citizens interests.

Motion was made by Councilmember Osborn, seconded by Councilmember Smith and unanimously carried that Item 5 of the minutes of City Council meeting held May 12, 1982 be rescinded.

C. Community Development Block Grant.

Grant applications were submitted to the Southeastern Utah Association of Governments under the Community Development Block Grant Program for assistance in Water Development and Airport Terminal Building solar heat installation on May 20, 1982 in the amounts of \$59,500 and \$9,300, respectively. In cooperation with San Juan County and Monticello City, project applications submitted from San Juan County under the CDBG, program were prioritized as follows:

Priority No.

Project Discription

1. Blanding City Water Improvements
2. Monticello City Fire Station
3. Blanding Airport Solar Heat Panels

D. Blanding Tunnel Commemorative Monument.

No progress has been made to date on securing a permit from the U. S. Forest Service for construction of the monument.

E. Water Collection System Projects.

Project design changes have been submitted to the U. S. Forest Service for Environmental Assessment consideration on the Blanding Tunnel - Indian Creek Diversion works project.

F. Postal Service Mapping Requirements.

Appointments have been made with the local Post Master to complete plans for the required mapping in connection with proposed local mail delivery.

10. Mrs. Judy Mainord, member of the City Streets and Sidewalks Task Committee, presented the following committee recommendations to the Council:

Blanding City Council
May 26, 1982

The following recommendations and requests are respectively submitted for Council consideration from the Task Committee for streets, sidewalks and curb and gutter.

Question: Did the City Council agree by formal action to budget \$12,000 per year for sidewalks, curb and gutter completion and improvements?

Recommendations:

1. That \$25,000 be appropriated for sidewalks, curb and gutter construction during 1982-83.
2. That sidewalks and curb and gutter put on top priority during the past two years and still not completed, remain top priority.
3. That immediate attention be given to the installation of a culvert at 1st East and 2nd North.

The Council agreed that the program proposed by the City Streets and Sidewalks Task Committee can be carried out under present City policy subject to coordination of the project with property owners by committee members and providing Class C Road funds may be used for curb, gutter and sidewalk purposes.

11. Councilmember Smith reported that subsequent to the last Council meeting the City has received \$3,951.42 in Airport gasoline tax refunds.

12. The Administrator advised the Council that John Seely, Street Superintendant, anticipates being released for work by his attending physician on May 29, 1982.

13. Councilmember Johnson discussed with the Council, a request by William B. Redd for the establishing of a pedestrian crosswalk at 50 South Main Street. The Council agreed that the District Engineer, District 4, Utah Department of Transportation should be asked to consider the need for the requested crosswalk on U. S. Highway 163.

14. Following discussion of the matter, the Council agreed that all itinerant merchants shall be required to have a current Utah Sales Tax license before they may be issued a license to conduct business within the City.

15. Councilmember Black discussed with the Council the possibility of hiring part-time help during the summer months to complete pressing projects. The Council agreed that the CETA and Project Goodwork programs should be tried and evaluated prior to hiring other personnel.
16. Councilmember Black suggested that the Blanding and Blanding West Stakes of the Church of Jesus Christ of Latter-Day Saints, and the San Juan School District should be contacted relative to more efficient and conservative use of water for irrigation purposes.
17. Councilmembers Black and Johnson agreed to consider projects for and coordinate the efforts of juveniles assigned work projects by the Utah State Juvenile Probation Officer.
18. Councilmember Black reported that there is currently 8 c.f.s and 10 c.f.s. of water in the Blanding Irrigation Company Upper and Lower ditches, respectively.
19. Mayor Bradford reported that the owners of Juniper Village, a local senior citizen apartment complex, will conduct a brief ribbon cutting ceremony and officially open the complex for business on Saturday, June 5, 1982 at 1:00 O'Clock P.M.
20. Mayor Bradford suggested that it might be appropriate for the City of Blanding to conduct a portion of its banking business with the newly established Blanding Branch of First Western National Bank. The Director of Finance advised that subject to review of First Western National Bank policies relative to Municipal accounts, as well as consideration of transferrable City accounts, some business could be done at the new banking facility.
21. Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that the City purchase the following described land from J. Rex and Allie B. Nielson at the appraised price to be fixed by Stanley Perkins:

and further that the City effect a land exchange with J. Rex and Allie B. Nielson, involving the following described tracts of land currently owned by the City and Nielson's, respectively:

22. The Council agreed that the City Employees should report at City Council meetings, programs of their departments, not less than once quarterly.

23. The Administrator presented for Council consideration, the fiscal year 1983 preliminary Operating budget for the General Fund of \$1,520,490.13 inclusive of \$60,842.72, \$64,700.00, \$66,800.00, \$696,045.00, \$64,255.76 and \$43,429.51 for the Class C Road Fund, Collector Road Fund, Revenue Sharing Fund, Debt Service Fund, Waste Collection Fund and Airport Fund, respectively; and cash flow budgets for the Electric, Water and Sewer Funds in the amounts of \$985,069.00, \$571,775.00 and \$2,473,150.00, respectively.

Meeting adjourned at 12:20 A.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JUNE 9,
1982 AT 8:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor Cleal Z. Bradford
City Councilmembers: Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Administrator: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator Richard D. Laws

Absent was Councilmember Bruce N. Black

Also present were: Mrs. Myrna Kimmerle; Mr. Sylvan Johnson; Mr. Oris G. Black;
Mr. Calvin Goodman; Mrs. Marsha Keele.

1. Minutes of City Council meeting held May 26, 1982 were approved.
2. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1982-11

A RESOLUTION AUTHORIZING CONDEMNATION OF 2 ACRES NEAR BLANDING,
SAN JUAN COUNTY, UTAH

A meeting of the City Council of the City of Blanding, State of Utah, was held at the Blanding City offices, Blanding, Utah on the 9th day of June, 1982. A quorum of the City Council being present, whereupon the following resolution was offered, seconded and adopted:

RESOLVED, by the Blanding City Council, hereafter Council, that it finds and determines and hereby declares: The public interest and necessity require the acquisition of certain properties for sewer development purposes. The public interest and necessity require immediate occupancy for said public purpose of the real property, or interests in real property, hereinafter described.

The acquisition of the property hereinafter described is necessary for the development of the waterworks and supply system for the City of Blanding.

This action is authorized by the statutes and Constitution of the State of Utah and particularly Title 10, Chapter 7, Section 4, Utah Code Annotated, 1953, as amended.

BE IT FURTHER RESOLVED by the Council that the City Attorney shall be requested, on behalf of the City:

To acquire, in the name of the City, the said hereinafter described real property, or interests in real property, by condemnation in accordance with the provisions of the Statutes and of the constitution of Utah relating to eminent domain;

To prepare and prosecute such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such acquisition;

To obtain, from said court, an order permitting the City to take immediate possession and use of said real property, or interests in real property, for sewer development purposes, or purposes incidental thereto.

BE IT FURTHER RESOLVED, that the Blanding City Treasurer shall be requested, on behalf of the City:

To prepare Warrant in the amount of the approved appraisal of each parcel of real property, or interest in real property set forth and described herein; payee to be the Clerk of the District Court of the County wherein the real property is located, for the use and benefit of the landowners and/or lienholder as described herein;

That a tender to the landowners of a sum equal to the fair market value of the property to be acquired for rights of way herein shall be made prior to issuance of Order of Immediate Occupancy;

The real property, or interests in real property, which the City is by this resolution authorized to acquire for said public use, is situated in the County of San Juan, State of Utah, and is described as follows:

RECORDED OWNERS: Joseph Rex Nielson and
Allie B. Nielson

ADDRESS: Blanding, Utah 84511

PARTIES OF INTEREST: None.

LIENHOLDER: None.

APPROVED APPRAISAL:

A parcel of land in fee for sewer development purposes, described as follows:

Beginning at a point South 1,320 feet and West 1,555.74 feet from the Northeast Corner of Section 15, Township 37 South, Range 22 East, Salt Lake Base and Meridian, thence Northeasterly along the U.S. Highway 163 right-of-way 320 feet; thence South 36.5 feet; thence East 613.11 feet; thence South 11.02 feet; thence West 895.74 feet to the point of beginning. Containing 2 acres.

DATED this _____ day of June, 1982.

CITY OF BLANDING

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

3. Mr. H. Calvin Goodman discussed with the Council, the possibility of his company, Petroleum Land Corporation, leasing oil, gas and mineral rights on City-owned property.

Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City lease the oil, gas and mineral rights on all City-owned property not now encumbered by such lease or on which land such rights have been reserved, to Petroleum Land Corporation, H. Calvin Goodman, President, for a bonus of \$75.00 per acre and a royalty on any production of 16.7%; such lease to terminate not later than five years from the date of execution and carrying an annual fee of \$1.00 per acre.

4. The City Council discussed with Mrs. Myrna Kimmerle and Mr. Sylvan Johnson, a Senior Citizens proposal to plant shade trees in the community.

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City approve the tree planting proposal of the local Senior Citizens including furnishing Ash trees from the City Tree Farm and assisting in excavating the areas necessary to transplanting the trees.

5. Mr. Oris G. Black, operator of the City Waste Collection Truck discussed the waste collection program with the Council. He suggested that neighbors with adjoining property should use a common placement point for garbage to be picked up and the public should be educated in the use of the dump grounds.

The Council agreed that the utility bills could carry a notice suggesting common garbage pickup points for customers having adjoining property, the City dump ground should be signed indicating various areas for placement of types of waste material and the area adjacent to the canyon rim barrier should be raised by emplacement of gravel to a point convenient to the dumping waste for the City waste collection truck.

6. Following considerable discussion, motion was made by Councilmember Smith and seconded by Councilmember Osborn that the City of Blanding authorize and participate in a study of the advantages and disadvantages of consolidating law enforcement agencies within San Juan County.

Voting on the motion was as follows:

Those voting "Aye": Councilmember Johnson
Councilmember Osborn
Councilmember Smith

Those voting "Nay": Councilmember Lyman

Those absent: Councilmember Black
constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried.

7. The Council reviewed the following applications for the position of Patrolman on the Blanding Police Department:

Michael Bradford
Carl Holiday
Clifton Kerbs
Lynn A. Wright

Motion was made by Councilmember Osborn and seconded by Councilmember Smith that the City continue advertising for applications for the position of Patrolman on the Blanding Police Department through the month of June, 1982.

Voting on the motion was as follows:

Those voting "Aye": Councilmember Johnson
Councilmember Osborn
Councilmember Smith

Those voting "Nay": Councilmember Lyman

Those absent: Councilmember Black
constituting all the members thereof.

Whereupon Mayor Bradford declared the motion carried.

8. The Assistant Administrator presented the following request to the Council:

MEMO

To: City Councilmembers
From: R. Dwight Laws, Assistant City Administrator
Date: 6-9-82
Re: Request for leave of absence.

A rare opportunity has come for me to attend a doctorate program at BYU. Dr. Harrison, Dean of the College of Instructional Science, has reviewed some of the reading comprehension materials that I have published and has invited me to study under him and do some research.

I have carefully reviewed my personal situation and feel that with some sacrifice it would be possible.

Accordingly, I respectfully request that the Council consider granting me a leave of absence for an 8 week period each of the next 3 summers (approx. July & Aug). In actuality this request is for 4 weeks since I am only employed $\frac{1}{2}$ of each month.

Three possible options are suggested.

- 1- I would be willing to commit some proportionate amount of years to City service in exchange for assistance.
- 2- I would make up the 4 weeks during the rest of the year.
- 3- I would take the time off without pay or penalty. Option two (2) is my preference.

This doctorate would also include a minor degree in Public Administration. I plan to take 8 classes that would include; Personnel Administration, Labor Management Relations, Collective Bargaining, Impasse Resolution, Manpower Planning, Affirmative Action, and Special Directed Readings and Research into Public Administration.

The Ph.D. would lend credibility and credential to my freelance articles and publications. The minor in Public Relations would assist me in my City job.

My future intentions are to remain in Blanding and I very much appreciate your consideration of this request.

S/ Dwight

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that Richard D. Laws be granted leave of absence from the City, consistent with option 2 of the foregoing proposal, with the understanding that during the allowed absence should circumstances make possible some service to the City, he shall make himself available.

9. Under the direction of the City Engineer, bid proposals for furnishing materials and equipment for the lighting of two ball fields were opened, read aloud and duly tabulated as follows:

1. C. W. Silver Co., Inc. (Platforms)	\$13,174.80 \$ 8,556.67	Base Bid Additional Alternate
2. Northern Electric (Platforms)	\$15,873.20 No bid	Base Bid Additional Alternate
3. Kean Recreation Co. (Platforms)	\$19,470.00 \$ 5,863.00	Base Bid Additional Alternate

The Council agreed that the engineer should further study the foregoing proposals and be prepared to make a recommendation as to the acceptable bid at the next regularly scheduled Council meeting.

10. The Council agreed that the building of the monument at the Blanding Tunnel is an acceptable Eagle Scout project and that Mayor Bradford and Councilmember Lyman shall compose the message to be inscribed on the monument plaque.

11. The Engineer reported the following to the Council:

- A. The Monticello office of the U. S. Forest Service has completed writing the Environmental Assessment relative to the Indian Creek-Blanding Tunnel project, for submission to their district office.

- B. Sign blanks and installation material have been ordered to complete the street signing program.
- C. The map required in connection with proposed postal delivery service is nearing completion.

12. The Council agreed that the Engineer and Assistant Administrator should attend the Utah Department of Community Affairs, Energy Impact Board meeting on Thursday, June 10, 1982 and authorized plane rental for the trip to Salt Lake City.

13. Councilmember Smith reported that at a meeting of City officials with San Juan County Commissioner Kenneth Bailey and members of the County Road Department, agreement was reached relative to County Construction and maintenance work on City streets.

Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1982-12

A RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT FOR STREET CONSTRUCTION AND
MAINTENANCE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between San Juan County and the City of Blanding authorizing, and setting forth conditions under which said County will perform, construction and maintenance work on City streets; that a copy of said agreement shall be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of June, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

14. Councilmember Osborn introduced Mrs. Linda Shumway, Chairman, Blanding City Planning Commission.

Mrs. Shumway advised the Council that the various Task Committees associated with the Planning Commission are doing a creditable job and stated that a narrative report of the Task Committee efforts will be forthcoming in the near future.

Mrs. Shumway requested transfer of surplus Planning and Zoning funds to the Parks and Recreation fund for use in obtaining playground equipment for the south park.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that surplus Planning and Zoning funds be transferred to the Parks and Recreation fund for the specific purpose of purchasing playground equipment for the south park.

15. Councilmember Johnson reported that both the Recreation Department and San Juan High School Tennis Courts playing surfaces are rapidly deteriorating.

16. Mayor Bradford reported that Blanding, Monticello, Moab, Grand County and San Juan County officials will meet with Governor Scott Matheson in Salt Lake City, Utah on June 14, 1982 to present their position relative to preparation of an environmental assessment in connection with the United States Government proposal to possibly use the Gibson Dome area of San Juan County as a Nuclear Waste Repository.

Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City Council of the City of Blanding officially declare that it is favorable to the completion of the Environmental Assessment by the United States government relative to possible use of the Gibson Dome area of San Juan County for development of a nuclear waste repository.

17. Mayor Bradford distributed a paper titled "NEED STATEMENT" for consideration by the Council members.

18. The following memorandum was read in full to the Council:

College of Eastern Utah
James R. Randolph, President

San Juan Center
Lynn Lee Director
Support Services
Kay Shumway, Director
Instructional Services

June 8, 1982

To: Mr. Cleal Bradford, Mayor
City Council Members

From: Lynn Lee, Director
College of Eastern Utah - San Juan Center

An event has just occurred which could have tremendous impact for San Juan County and particularly the City of Blanding. In a most generous gesture, the De L. Gibbons family has made a gift of 67% of the appraised value of their home and property in Blanding to the San Juan Foundation, to be used as the beginning of a permanent site for a post-secondary education center. Although the College of Eastern Utah - San Juan Center has existed since 1976, full benefits have not been realized because of the absence of a physical identity.

As indicated, it will be necessary for us to raise about 33% of the value. Efforts have already been initiated to raise this. It presently appears that about 65% of our obligation may be acquired through a grant, with the balance as a loan to be repaid within five years. This may seem to some to be a real gamble for a new organization with no assets or resources as yet. However, to obtain possession of such an ideal property for some \$30,000 is too good of an opportunity not to take this chance.

In order to assist the Foundation in its efforts to obtain this property and establish the proposed education center, we would like to request the City of Blanding to provide utilities to the Center for the period of time, to be agreed upon, during which we will have rather heavy financial obligations for repayment of the loan and develop the Center on a more solid financial base.

Motion was made by Councilmember Lyman, seconded by Councilmember Smith and unanimously carried that the City grant to the San Juan Center of the College of Eastern Utah, free use of utilities services at 639 West 100 South Street for a period of one year from date hereof, with the possibility of renewal annually subject to financial need demonstration by the Grantee and the ability of the City to finance such grant; that the grant be limited to not more per year than the average annual use at such address as computed for the most recent past three calendar years.

19. In connection with formal public hearing the Council reviewed the proposed City operating budgets for fiscal year 1983.

Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1982-13

A RESOLUTION PROVIDING FOR THE APPROPRIATION
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING
DURING THE FISCAL YEAR ENDING JUNE 30, 1983.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding for the Fiscal Year ending June 30, 1983, the amounts from the respective funds and for the purposes as follows:

<u>FUND</u>	<u>AMOUNT</u>
General Fund	\$1,825,268.72
Includes:	
Class C Road Fund	97,297.15
Collector Road Fund	64,700.00
Debt Service Fund	696,045.00
Revenue Sharing Fund	66,800.00
Waste Collection Fund	64,255.76
Airport Fund	43,429.51
Also:	
Electric Enterprise Fund	985,069.00
Water Enterprise Fund	571,775.00
Sewer Enterprise Fund	2,473,150.00

BE IT FURTHER RESOLVED that copies of the foregoing budget details be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of June, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

20. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City grant all employees a 5% cost of living increase in salary and that subject to evaluation of performance, up to an additional 3% salary increase.

21. Motion was made by Councilman Osborn, seconded by Councilman Smith and unanimously carried that the 1982 Property Tax Levy be set as follows:

General City Purposes	13.74 mills
Interest and Sinking Fund	<u>11.35 mills</u>
Total	25.09 mills

Meeting adjourned at 12:40 A.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JUNE 23, 1982 AT 8:00 O'CLOCK IN
THE CITY HALL

Present were: Mayor Cleal Z. Bradford
City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman*
Don E. Smith
City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws
San Juan High Representative Jana Lyman
Absent was Councilmember J. Carl Osborn

Also present were: Mr. Calvin Goodman; Mrs. Marsha Keele

*Councilmember Lyman was present for items 11 and 12 only.

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held June 9, 1982 were approved.
3. The Engineer reported that he had been in conference this day with officials from the U.S. Forest Service wherein he advised them that the City Council desires not to abandon the Blanding Watershed fence and that in the opinion of the Blanding City Council the Forest Service is obligated to maintain said fence. He stated he advised such officials that the local Forest Service personnel are cooperative with the City and that necessary applications and permits are expeditiously handled.
4. The following letter was read in full to the Council:

PETROLEUM LAND CORPORATION
Prudential Bldg.
115 S. Main
Salt Lake City, Utah 84111
801-363-9758

June 11, 1982

Mayor Cleal Bradford
Blanding City Council
50 West 100 South
Blanding, Utah

Dear Mr. Bradford:

This letter will confirm our understanding at the City Council Meeting on the evening of June 9th, 1982, concerning the City of Blanding leasing to Petroleum Land Corporation all the oil and gas rights of the streets and any other property owned by the City in which the minerals have not been leased or previously reserved.

The lease will be for a term of six (6) years containing a land owners royalty of sixteen point seven (16.7%) percent, and as consideration for the subject lease Petroleum Land Corporation will pay the City of Blanding a bonus payment of seventy five (\$75.00) dollars per net acre, plus an annual payment of one (\$1.00) dollar per net acre commencing the second year of the lease.

If the foregoing fairly outlines the terms and conditions of our agreement, please note your acceptance by signing in the space below and returning the original and one copy of this letter.

Very truly yours,
PETROLEUM LAND CORPORATION
S/ H. Calvin Goodman, President

AGREED and accepted as of the date first above written.

S/ Cleal Z. Bradford, Mayor

Motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the Mayor be authorized to execute a copy of the foregoing letter in acceptance of the terms and conditions thereof.

5. The Engineer reported the following to the Council:

A. Community Development Block Grant Application Status.

The Southeastern Utah Association of Governments assigned priority No. 4 to the Blanding City application for Community Development Block Grant funds and recommended to the State of Utah that the pertinent projects be fully funded.

B. Community Impact Board Grant Application Status.

The Community Impact Board approved granting requested water improvement project funds subject only to receiving a water system "Approved" rating from the Utah Department of Health, receipt of approval of the Community Development Block Grant Application and statement from our consultants that the estimated project costs are adequate.

C. Indian Creek-Johnson Creek Project Engineering Status.

Plans and specifications on the Indian Creek and Johnson Creek projects are nearing completion and receipt of bid proposals for construction are anticipated for opening on July 14, 1982.

D. Upper Canal, Distribution System and Pressure Regulating Valve Stations.

It is anticipated that engineering will be complete enough to advertise for bids on the Upper Canal, Distribution System materials and supplies, and the Pressure Regulating Valve stations projects by July 22, 1982.

E. Sanitary Sewer Treatment Facilities.

Our consultants, Horrocks Engineers have indicated that final drawings and cost estimates on the proposed Blanding City Sanitary Sewer Treatment facilities, will be ready for submission to the Utah Department of Health June 29, 1982.

F. Flashing School Zone Signs.

Officials of District 4, Utah Department of Transportation have stated that the flashing School Zone signs for the 3rd South-Main Street area will be installed prior to the ensuing school year start but that the 1st East-Center Street signs were inadvertently omitted from the original agreement and would have to follow the regular application process.

6. The Council discussed and affirmed that consistent with the desires of San Juan County Commissioner Kenneth Bailey, there will be no further exchange of labor between the City and San Juan County on street and road projects.

7. Councilmember Black reported that he and Mr. Eugene Shumway have conducted periodic checks of Blanding Irrigation Company measuring devices on the Upper and Lower canals and that there is a possibility that Irrigation Company personnel are erroneously computing the amount of water flowing in the canals resulting in an inequitable distribution of the water and an apparent negative affect on the amount of water Blanding City receives. He further advised that Mr. Kedrick Summerville of the U. S. Soil Conservation Service will instruct Irrigation Company personnel in the proper reading and interpreting of their water measuring devices.

8. The Council considered briefly the necessity for reopening discussions with the San Juan Water Conservancy District Board relative to possibly availing of water from the Recapture Reservoir appropriation.

9. Following consideration of the results from an employee evaluation process, motion was made by Councilmember Black and seconded by Councilmember Johnson that all City employees be granted a five (5) percent cost-of-living increase in salary plus a merit increase in salary based on the results of the just completed employee evaluation as follows:

250 - 300 points 3%
 200 - 249 points 2%
 150 - 199 points 1%
 Less than 150 points No Increase

voting on the motion being as follows:

Those voting "Aye": Councilmember Black
 Councilmember Johnson

Those voting "Nay": Councilmember Smith

The motion was declared defeated due to lack of the statutorily required majority.

Councilmember Lyman was then contacted by telephone and requested to attend the meeting for consideration of the employee salary increase matter.

10. Motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that the following current period General Fund Budget adjustments be effected:

CITY OF BLANDING
 Budget Comparison (Revision)
 June 23, 1982

<u>Department</u>	<u>Expended to Date</u>	<u>Current Year Budget</u>	<u>Balance</u>
Mayor Council	2,824.36	1,750.00	(1,074.36)
Court	4,116.40	4,800.00	683.60
Recorder	28,064.73	38,205.60	10,140.87
Attorney	8,551.61	6,300.00	(2,251.61)
Engineer	33,742.72	35,117.00	1,374.28
Non-Departmental	925.00	925.00	- - - -
Electrions	692.29	1,200.00	507.71
Planning and Zoning	154.40	1,250.00	1,095.60
Community Promotion	6.50	1,250.00	1,243.50
Police Department	105,917.71	112,557.00	6,639.29
Fire Department	15,208.03	70,156.78	54,948.75
Protective Inspection	60.00	50.00	(10.00)
Street Department	32,983.12	51,371.63	18,388.51
Class C Road	2,472.96	61,800.00	59,327.04
Collector Road	- - - - -	46,400.00	46,400.00
Parks and Recreation	2,321.35	40,000.00	37,678.65
Debt Service	45,972.27	45,964.50	(7.77)
Waste Collection	49,369.32	59,210.00	9,840.68
Airport	4,990.61	3,572.00	(1,418.61)

11. Councilmember Lyman entered the meeting. Motion was made by Councilmember Black and seconded by Councilmember Johnson that all City employees be granted a five (5) percent cost-of-living increase in salary based on the results of the just completed employee evaluation as follows:

250 - 300 Points	3%
200 - 249 Points	2%
150 - 199 Points	1%
Less than 150 Points	No Increase

voting on the motion being as follows:

Those voting "Aye":	Councilmember Black Councilmember Johnson
Those voting "Nay":	Councilmember Lyman Councilmember Smith
Those absent:	Councilmember Osborn

Whereupon Mayor Bradford declared the voting tied and cast an affirmative vote thereafter declaring the motion carried.

12. Following discussion of bids received for supplying ball field electric lighting materials and supplies, motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried, with Councilmember Johnson declining to be involved in the issue, that the bid proposal of Northern Electric be accepted for furnishing ball field electric lighting materials and supplies subject only to concurrence in such acceptance by the City Attorney relative to conflict-of-interest factors involved herewith.

13. Councilmember Smith discussed with the Council the necessity for action to preclude excavation in City streets particularly cutting across bituminous surfaced streets. Action on the matter was deferred pending further evaluation of current regulations.

14. In accordance with the recommendation of Councilmember Osborn, Mayor Bradford presented the following names for consideration by the Council as appointees to the Public Safety Task Committee:

Gorden A. Hawkins
Fred Ochoea

The Council gave its advise and consent to the foregoing appointments.

15. Councilmember Black reported the following:

- A. Glen Black may be persuaded to trim the trees and shrubbery at the South Park.
- B. Melvin Laws, Juvenile Probation Officer, is still planning on providing the City with labor for various maintenance projects from work assignments to Juvenile offenders of the law.
- C. Consideration is being given to the establishment of a campground facility in the area North of the Dry Wash reservoir on the Abajo mountains.

16. Mayor Bradford discussed with the Council the possibility of San Juan County operating the Edge of the Cedars Museum under contract with the State of Utah. Mayor Bradford will prepare a statement detailing the programs which could be carried out under such an arrangement.

17. The Council again discussed possibly obtaining the former San Juan State Bank Building adjoining the East boundary of the City Office Building property and authorized the City Administrator to initiate a discussion with pertinent individuals relative to an exchange which would enable the City to obtain such property.

Meeting adjourned at 10:50 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JULY 14, 1982 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
Don E. Smith

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

S.J.H. Representative Jana Lyman

Absent was: Councilmember J. Carl Osborn

Also present was Mrs. Marsha Keele

1. Prayer was offered by the Engineer.
2. Minutes of City Council meeting held June 23, 1982 were approved.
3. The Council reviewed bid proposals for construction of water improvements following which, motion was made by Councilmember Black, seconded by Councilmember Smith and unanimously carried that the bid proposal of Albrecht Construction, Richfield, Utah, for construction of Schedules I and II, Blanding City Water Supply Improvements in the amounts of \$125,967 and \$184,732, respectively; and that the bid proposal of E. A. Black Plumbing and Heating for construction of Schedule III, Blanding City Water Supply Improvements in the amount of \$23,750 be accepted and that project consultants, Horrocks Engineers, be advised to issue "Notice to Proceed" as required.
4. The following letters were read in full to the Council:

State of Utah
Department of Health
Division of Environmental Health
150 West North Temple
P. O. Box 2500
Salt Lake City, Utah 84110
June 25, 1982

The Honorable Mayor and City Council
City of Blanding
P. O. Box 68
Blanding, Utah 84511

Gentlemen:

Re: Water System Rating

It is our understanding that the improvements which have been requested at the water treatment facility serving the community of Blanding have been corrected or are in the process of being corrected and as a result the City of Blanding is eligible for a higher water system rating. Therefore, the rating of "Approved" is hereby assigned to the Blanding City water system effective immediately.

Maintaining this rating is contingent upon satisfactory operation and maintenance of the system in accordance with the regulations. We take this opportunity to congratulate city officials on achieving this rating.

On another issue, we are forwarding with this letter a copy of the chemical analysis related to the airport well. It is our understanding that the city owns this well and is responsible for the management of the water system associated with the airport. Further it is our understanding that this system is completely and physically separated from the city water which utilizes the treatment plant. There are concerns associated with the water quality of this well water as the primary turbidity standard is exceeded as well as the secondary standards of sulfate and total dissolved solids. With respect to this well

source and water system we would appreciate it if you would inform us as to who the responsible party is and, if the city is the responsible party, what action the city intends to employ to solve the water quality problems associated with this well.

Sincerely,
UTAH SAFE DRINKING WATER COMMITTEE
S/ Gayle J. Smith
Executive Secretary

KHB:br
Enclosure
cc: Southeastern District Health Department
Farmers Home Administration
Federal Housing Administration
Veterans Administration

Community Development Division
6237 State Office Building
Salt Lake City, Utah 84114
June 14, 1982

Mayor DeLamar Gibbons
P. O. Box 68
Blanding, Utah 84511

Dear Mayor Gibbons:

On June 10, 1982, the Natural Resources Community Impact Board formally awarded to Blanding City a grant not to exceed \$120,000 for water supply improvements subject to the following conditions:

1. Submission of a letter to this Office from your project engineer declaring that a feasibility study has been completed and that the project is thought to be feasible at a total cost of \$430,700.
2. Submission of design plans and specifications for your project to Gayle Smith, Director, Bureau of Public Water Supplies, 150 West North Temple, Room 410, Salt Lake City, Utah 84103; and to Paul Gillette, Assistant Director, Division of Water Resources, 1636 West North Temple, Salt Lake City, Utah 84116 for their review and approval.
3. Submission of a letter from Gayle Smith in which Blanding City's water rating is changed from "Not approved--corrective action" to "approved."
4. Submission of the approved bid for the project to this Office.
5. Certification that the following agencies will provide funds at the levels indicated: (1) \$59,200 from the U. S. Department of Housing and Urban Development (HUD); (2) \$200,000 from the State Board of Water Resources; and (3) \$51,000 from the City of Blanding.

I will draft a contract for your review and signature as soon as time permits. Good luck on your project. If you have any questions, please call me at 533-3018.

Sincerely,
S/ Roger D. Lee

RDL;aw

5. Councilmember Lyman introduced the following resolution, which was thereupon read in full and is as follows:

RESOLUTION NO. 1982-14

A RESOLUTION AMENDING RESOLUTION NO. 1980-6, ADOPTED AND APPROVED ON MAY 14, 1980, AS AMENDED BY RESOLUTION 1981-9, ADOPTED AND APPROVED ON JULY 8, 1981, ENTITLED: "A RESOLUTION CONCERNING THE JOINT ELECTRIC, WATER AND SEWER SYSTEM OF THE CITY OF BLANDING, UTAH; PROVIDING FOR THE ISSUANCE AND SALE OF JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$200,000.00 (TO BE EVIDENCED BY A SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND IN THE AMOUNT OF \$200,000.00); PROVIDING OTHER DETAILS RELATING THERETO; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH; AND REPEALING ALL ACTION IN CONFLICT HEREWITH;" SO AS TO CHANGE THE MATURITY SCHEDULE OF THE BONDS AUTHORIZED THEREIN; PROVIDING OTHER DETAILS RELATING THERETO; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH; AND REPEALING ALL ACTION IN CONFLICT HEREWITH.

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City to issue its bonds for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line (herein the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose; and

WHEREAS, at a special bond election held in the City on the 27th day of November, 1979, a majority of the qualified electors approved a proposal to authorize the City Council of the City (herein the "Council"), to issue and sell revenue bonds in the aggregate amount of \$250,000.00, or so much thereof as may be necessary, in one or more series, and to mature in not more than twenty (20) years from their date or dates, for the Project, the question of the issuance of such bonds being in the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

; and

WHEREAS, the Council has not previously issued any of said bonds authorized at said November 27, 1979 election; and

WHEREAS, on May 14, 1980, by Resolution No. 1980-6, the City authorized the issuance of a portion of the bonds authorized at said election, i.e., its "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1980," in the aggregate principal amount of \$200,000 (the bonds authorized by said Resolution No. 1980-6, as amended by Resolution 1981-9 and by this resolution, whether evidenced by serial coupon bonds or by a single registered bond in a denomination of \$200,000 are herein the "1980 Bonds" or "Bonds"); and

WHEREAS, on July 8, 1981, by Resolution No. 1981-9, the City amended Resolution 1980-6 in various aspects; and

WHEREAS, because of unanticipated delays, none of the bonds authorized by Resolution No. 1980-6 as amended by Resolution 1981-9 have been issued; and

WHEREAS, in order to now deliver the bonds authorized by said Resolution No. 1980-6, it is necessary and in the best interests of the City to amend said Resolution No. 1980-6 as amended by Resolution 1981-9 so as to change the maturity schedule of the bonds therein authorized and to provide other details in connection with said bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, UTAH:

Section 1. Amendment. Sections 5, 6, 14, 16, 17 and 39 of Resolution No. 1980-6, adopted and approved on May 14, 1980 as amended by Resolution 1981-9, adopted and approved on July 8, 1981 be, and the same hereby are amended to read as follows:

"Section 5. Bond Details. The bonds shall be issued payable to bearer, dated as of the date of delivery, consisting of 40 bonds in the denomination of \$5,000 each, numbered consecutively in regular numerical order from 1 through 40, bearing no interest, the bonds being numbered and maturing serially in regular numerical order on the first day of April in each of the designated amounts and years, as follows:

<u>Bond Numbers</u> <u>(All Inclusive)</u>	<u>Amounts</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1983 1983
2	5,000	1983 1984
3	5,000	1984 1985
4	5,000	1985 1986
5	5,000	1986 1987
6	5,000	1987 1988
7 - 10	20,000	1988 1989
11 - 16	30,000	1989 1990
17 - 22	30,000	1990 1991
23 - 28	30,000	1991 1992
29 - 34	30,000	1992 1993
35 - 40	30,000	1993 1994

The principal of the bonds (such principal of the bonds being herein sometimes designated as the "Bond Requirements") shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges at the Zions First National Bank, Salt Lake City, Utah (herein "Paying Agent"). Any

registered single bond issued as hereafter provided shall mature in installments in the amounts and on the dates set forth above, and the principal installments thereof shall be paid by check mailed to the registered owner thereof as shown on the registration books of the City, provided, however, that the final installment of principal shall be paid only upon presentation and surrender of such single bond at the Paying Agent when it becomes due.

"Section 6. Prior Redemption. All of the bonds shall be subject to redemption prior to their respective maturities, at the option of the City, in whole or in part, in inverse numerical order, on April 1, ~~1982~~, 1983, or on any principal payment date thereafter, at a price equal to the principal amount of each bond so redeemed. Notice of redemption shall be given by the City Treasurer, in the name of the City, by publication of such notice at least once, not less than thirty days prior to the redemption date, in a newspaper of general circulation in the City, and a copy of such notice shall be sent by registered mail, at least thirty days prior to the redemption date (a) to the Purchaser, and (b) to the Paying Agent. Such notice shall specify the number or number of bonds to be so redeemed (if less than all are to be redeemed) and the date fixed for redemption, and shall further state that on such redemption date there will become and be due and payable upon each bond so to be redeemed at the Paying Agent the principal amount thereof. Notice having been given in the manner hereinbefore provided, the bond or bonds so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, the City will pay the bond or bonds so called for redemption. In the case of any registered single bond, installments of principal shall be subject to prepayment if evidenced by the above designated bonds in the denomination of \$5,000 each.

"Section 14. Form of Bonds. The bonds, including the indebtedness certificate to be endorsed thereon and the registration panel thereon, shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF UTAH

COUNTY OF SAN JUAN

CITY OF BLANDING
JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND
SERIES APRIL 1, 1980

NO. _____

\$5,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the bearer hereof, solely from the special funds provided therefor, as hereinafter set forth, on the first day of April, 19__, the principal sum of

FIVE THOUSAND DOLLARS

The principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) is payable in lawful money of the United States of America, without deduction for exchange or collection charges, at the Zions First National Bank, Salt Lake City, Utah, upon presentation and surrender of this bond when it becomes due.

All bonds of the series of which this bond is a part (herein the "1980 Bonds" or merely the "bonds") are subject to prior redemption in inverse numerical order, at the option of the City, on the first day of April, ~~1982~~, 1983, or on any April 1 thereafter, at a price equal to the principal amount thereof. Redemption shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of

the City's municipally owned joint electric, water and sewer system (herein "joint system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of the 1980 Bonds shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980 as amended by Resolution No. 1981-9, passed and approved on July 8, 1981 and by Resolution No. 1982-14, passed and approved on July 14, 1982 (as amended, the "Resolution"), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of the bonds of the series of which this is one, and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of the 1980 Bonds, reference is made to the Resolution. The 1980 Bonds are equitably and ratably secured by a lien on the net revenues of the system and such bonds constitute, subject only and subordinate to the prior lien of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to the series of which this is one, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and

and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of the 1980 Bonds, in accordance with the provisions of the Resolution.

The 1980 Bonds are issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of the 1980 Bonds, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of the bonds, the nature and extent of the security, the terms and conditions on which the bonds are to be issued, the rights, duties and obligations of the City, and the rights of any holder of the bonds.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is one of a duly authorized series of 40 bonds in the aggregate principal amount of \$200,000 for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

The 1980 Bonds are issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of the 1980 Bonds, and it

covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on the 1980 Bonds and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond may be registered in the name of the holder subject to the terms and conditions set forth in the Resolution, and, unless so registered, this bond shall be transferable by delivery. This bond may be registered only as to principal. If this bond is registered it may be reconverted into a bond payable to bearer as provided in the Resolution.

Subject to the provisions for registration, this bond is subject to the conditions, and every holder hereof by accepting the same agrees with the obligor and every subsequent holder hereof, that (a) the delivery of this bond to any transferee shall vest title in this bond in such transferee to the same extent for all purposes as would the delivery under like circumstances of any negotiable instrument payable to bearer; (b) the obligor and any agent of the obligor may treat the bearer of this bond as the absolute owner hereof for all purposes, and shall not be affected by any notice to the contrary; (c) the principal of this bond shall be paid, and this bond is transferable, free from and without regard to any equities between the obligor and the original or any intermediate holder hereof, or any setoffs or cross-claims; and (d) the surrender to the obligor or any agent of the obligor of this bond shall be a good discharge to the obligor for the same.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed,

executed, and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; and has caused the corporate seal to be hereto affixed, all as of the date of delivery hereof which is _____, 1982, _____.

(Manual Signature)
Mayor, City of Blanding
County of San Juan, State of Utah

Countersigned:

(Manual Signature)
City Treasurer, City of Blanding
County of San Juan, State of Utah

(SEAL)

ATTEST:

(Manual Signature)
City Recorder, City of Blanding
County of San Juan, State of Utah

(End of Form of Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of this _____, 1982 _____.

_____(Manual Signature)

City Recorder and Ex Officio City
Auditor

(End of Form of Certificate on Bond)

PROVISION FOR REGISTRATION AND RECONVERSION

This bond may be registered only as to both principal and interest on the books of the City, kept by the City Recorder as Registrar. Upon presentation hereof, the Registrar shall note such registration on such books and in the registration blank below. After registration this bond may be transferred by the registered owner or his legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said books and endorsed hereon. The principal of and interest on this bond, if registered, shall be payable only to, or upon the order of, the registered owner or his legal representative.

This bond, if registered, may be converted into a bearer bond, upon presentation to the Registrar, accompanied by an instrument duly executed by the registered owner, or his legal representative, in form satisfactory to the Registrar. In such case, the Registrar shall note below that this bond is payable to bearer. Such bearer bond may again be registered as provided above.

Every privilege of registration, transfer, discharge from registration, or conversion shall be exercised only in accordance with the authorizing resolution and such reasonable rules and regulations as the Registrar may prescribe.

The registration books shall be closed for 15 days prior to any principal payment date.

Date of
Registration

Name of
Registered Owner

Signature of
Registrar

"Section 16. Form of Single Bond. The single Bond, including the indebtedness certificate to be endorsed thereon, the registration panel thereon and the form of assignment therefor, shall be in substantially the following form:

(Form of Single Bond)

UNITED STATES OF AMERICA

STATE OF UTAH

COUNTY OF SAN JUAN

CITY OF BLANDING
SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER
IMPROVEMENT REVENUE BOND
SERIES APRIL 1, 1980

No. R-1

\$200,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the registered owner hereof, solely from the special funds provided therefor, as hereinafter set forth, the principal sum above stated on April 1 in the years and installments as follows:

<u>Years</u> <u>Maturing</u>		<u>Amounts</u> <u>Maturing</u>
1982	<u>1983</u>	\$ 5,000
1983	<u>1984</u>	5,000
1984	<u>1985</u>	5,000
1985	<u>1986</u>	5,000
1986	<u>1987</u>	5,000
1987	<u>1988</u>	5,000
1988	<u>1989</u>	20,000
1989	<u>1990</u>	30,000
1990	<u>1991</u>	30,000
1991	<u>1992</u>	30,000
1992	<u>1993</u>	30,000
1993	<u>1994</u>	30,000

Installments of principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) are payable in lawful money of the United States of America, without deduction for exchange or collection charges, by check mailed to the registered owner hereof as shown on the books of the City; however, the final payment of this bond is payable only upon presentation and surrender of this bond when it becomes due at the Zions First National Bank, Salt Lake City, Utah.

All installments of principal on this bond are subject to payment prior to their stated due date in inverse order of maturity, at the option of the City, on the first day of April,

~~1982~~, 1983, or on any April 1 thereafter, in multiples of \$5,000. Such prepayments shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system" or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of this Bond shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980, as amended by Resolution No. 1981-9, passed and approved on the 8th day of July, 1981 and by Resolution No. 1982-14, passed and approved on July 14, 1982 (as amended, the "Resolution"), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of this bond and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of this bond, reference is made to the Resolution. This bond is secured by a lien on the net revenues of the system and constitutes, subject only and

subordinate to the prior lien of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to this bond, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of this bond, in accordance with the provisions of the Resolution.

This bond is issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of this bond, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of this bond, the nature and extent of the security, the terms and conditions on which this bond is to be issued, the rights, duties and obligations of the City, and the rights of any holder of this bond.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is a duly authorized bond for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

This bond is issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive,

Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of this bond, and its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on this bond and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond is transferable only upon books kept by the Recorder of the City as bond registrar by the registered owner hereof in person or by his duly authorized attorney, and similarly noted hereon, or it may be surrendered in exchange for new bonds of the same aggregate principal amount, in bearer form or in serial registered form, in the denomination of \$5,000 each, to the extent practicable and consistent with the maturity schedule provided in, and subject to, the conditions set forth in the Resolution.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed, and countersigned by its City Treasurer and to be

manually subscribed, executed and attested by the City Recorder;
has caused the corporate seal to be hereto affixed, all as of
the date of delivery hereof which is _____, 1981 _____.

(Manual Signature)
Mayor, City of Blanding, County
of San Juan, State of Utah

Countersigned:

(Manual Signature)
City Treasurer, City of Blanding,
County of San Juan, State of Utah

(SEAL)

ATTEST:

(Manual Signature)
City Recorder, City of Blanding,
County of San Juan, State of Utah

(End of Form of Single Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of this _____, 1982 _____.

(Manual Signature)
City Recorder and Ex Officio
City Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Single Bond)

MANDATORY REGISTRATION FOR PAYMENT AS TO PRINCIPAL

The within single bond is registered in the office of the Recorder of the City of Blanding, San Juan County, Utah, as Registrar, in the name of the last owner listed below; and the principal amount of the bond shall be payable only to such owner, all in accordance with the resolution of the City authorizing the bond's issuance.

Date of Registration	Name of Owner	Address of Owner	Signature of Registrar
	State of Utah Board of Water Re- sources	231 East 400 South, Salt Lake City, Utah 84111	

(End of Form of Registration Panel)

(Form of Assignment Panel on Back of Single Bond)

ASSIGNMENT PROVISION

For value received, _____ hereby assign and transfer unto _____ the within bond, together with accrued interest thereon, hereby irrevocably constituting and appointing _____ attorney to transfer this bond on the books of the City of Blanding at the office of the Recorder of the City with full power of substitution in the premises.

Dated: _____.

(End of Form of Assignment Panel)

"Section 17. Period of Project's Usefulness. It is hereby determined and recited that the period of usefulness of the facilities to be acquired with the proceeds of the bonds herein authorized is not less than ~~13~~ 15 years from April 1, 1980.

"Section 39. Publication of Notice of Bonds to be Issued. Pursuant to Section 11-14-21(2), UCA, 1953, as amended, the City Recorder is hereby authorized and directed to publish a notice of bonds to be issued in the San Juan Record, the legal newspaper of the City, which is in general circulation therein (there being no newspaper published in the City) by at least one insertion in said newspaper. Said notice shall be in substantially the following term:

NOTICE OF BONDS TO BE ISSUED

City of Blanding, Utah

NOTICE IS HEREBY GIVEN pursuant to Section 11-14-21, Utah Code Annotated, 1953, that the City of Blanding will issue its bonds described as the "City of Blanding, Utah, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1980" which may be evidenced by a single registered bond (such bonds, whether evidenced by 40 \$5,000 denomination bonds or by a single registered \$200,000 denomination bond, are herein referred to as the "Bonds").

The issuer of the Bonds is the City of Blanding, Utah. The Bonds are being issued for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station and a water transmission line, and all costs incident to the authorization and issuance of Bonds. The Bonds shall be revenue bonds payable solely from the net revenues of the City's joint electric, water and sewer system. The Bonds shall be dated as of the date of delivery, shall be evidenced by a registered bond in the denomination of \$200,000 payable in installments of principal of \$5,000 per year on April 1 in each of the years ~~1982~~ 1983 to ~~1987~~ 1988 inclusive, \$20,000 on April 1, ~~1988~~ 1989, and \$30,000 per year in each of the years ~~1989~~ 1990 to ~~1993~~ 1994 inclusive; however, such single bond may be exchanged for negotiable bearer bonds or registered bonds, in the denomination of \$5,000 each, in an aggregate principal equal to the amount of unpaid principal installments on such single bond, numbered and maturing on April 1 in each of the designated years in the amounts as follows:

Bond Numbers (All Inclusive)	Principal Maturing	Years Maturing	
1	\$ 5,000	1982	1983
2	5,000	1983	1984
3	5,000	1984	1985
4	5,000	1985	1986
5	5,000	1986	1987
6	5,000	1987	1988
7 - 10	20,000	1988	1989
11 - 16	30,000	1989	1990
17 - 22	30,000	1990	1991
23 - 28	30,000	1991	1992
29 - 34	30,000	1992	1993
35 - 40	30,000	1993	1994

The Bonds shall not bear any interest. The Bonds are being purchased for their par amount (i.e., \$200,000) with no discount and no premium. No deposit has been made by the Purchaser of the Bonds. The Purchaser of all of the Bonds is the State of Utah, acting by and through the Board of Water Resources.

Copies of the Resolution of the City authorizing the Bonds, (i.e., Resolution No. 1980-6, as amended and supplemented by Resolution 1981-9 and by Resolution 1982-14) and other proceedings pertaining thereto may be examined at the office of the City Recorder between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday (i.e., during regular business hours of the City). Such copies shall be available for inspection at least until ~~August-15, 1981~~ August , 1982 (i.e., 30 days following the publication of this Notice).

Dated this July 14, 1982.

Mayor

(SEAL)

.....

City Recorder

(End of Notice)".

Section 2. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation:

A. Printing Bonds. The printing of the bonds, and

B. Final Certificates. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing of the bonds, the tenure and identity of the officials of the Council and of the City, the delivery of the bonds, the receipt of the bond purchase price, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof, and also relating to the absence and existence of factors affecting the status of the bonds under Section 103(c) of the Internal Revenue Code of 1954.

Section 3. Privilege of Amendments. This resolution may be amended or supplemented by instruments adopted by the Council in accordance with the laws of the State, without receipt by the City of any additional consideration, but with the written consent of the holders of 66% in aggregate principal amount of the bonds authorized by Resolution 1980-6 as amended by Resolution 1981-9 and by this Resolution and outstanding at the time of such amendatory or supplemental instrument (not including in any case and bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the bonds herein authorized if such refunding securities are not owned by the City).

Section 4. Limitations upon Amendments. No such instrument shall have the effect of permitting, without the consent of the holders of 100% in aggregate principal amount of the 1980 Bonds outstanding at the time of the adoption of such instrument:

A. A change in the maturity or in the terms of redemption of the principal of any outstanding bond; or

B. A reduction in the principal amount of any bond, without the consent of the holder of the bonds; or

C. The creation of a lien upon or a pledge of revenues ranking prior to the lien or to the pledge created by this resolution; or

D. A reduction of the principal amount or percentages or otherwise affecting the description of bonds, the consent of the holders of which is required for any such modification or amendment; or

E. The establishment of priorities as between bonds issued and outstanding under the provisions of this resolution; or

F. The modification of or otherwise affecting the rights of the holders of less than all of the bonds then outstanding.

Section 5. Resolution Irrepealable. The provisions of this resolution shall constitute an irrevocable contract between the City and the holder or holders of the 1980 Bonds. After the issuance of any of the 1980 Bonds, this resolution shall be and remain irrepealable, and no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner, except as provided in Sections 3 and 4 of this resolution, until such time as all of the Bond Requirements of the 1980 Bonds (as defined in Resolution No. 1980-6 as amended by Resolution 1981-9 and hereby) shall have been paid in full, cancelled and discharged, as provided in Resolution No. 1980-6 as amended by Resolution No. 1981-9 and hereby, or provision duly made therefor.

Section 6. Repealer. All provisions of Resolution No. 1980-6 as amended in Resolution 1981-9 except those expressly amended hereby shall remain in full force and effect as originally passed and adopted. All orders, bylaws, and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any order, bylaw, or resolution, or part thereof, heretofore repealed.

Section 7. Severability Clause. If any section, paragraph, clause or provision of this resolution shall for any

Councilmember Lyman moved the adoption of the foregoing resolution, which motion was seconded by Councilman Black, put to a vote, and was carried by the affirmative vote of all members, the vote of the Council being as follows:

Those Voting Aye: Cleal Z. Bradford
 Bruce N. Black
 Clea S. Johnson
 Francis M. Lyman
 ~~J. Carl Osborn~~
 Don E. Smith

Those Voting Nay: None

Those Absent: J. Carl Osborn

Thereupon, other business not concerning joint system facilities or revenue bonds was considered.

Thereafter, there being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

ADOPTED AND APPROVED this 14th day of July, 1982.

(SEAL)

Mayor, City of Blanding,
State of Utah

ATTEST:

City Recorder, City of Blanding
State of Utah

reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 8. Effective Date. This resolution shall become effective and be in full force and effect after its passage by the City Council of the City of Blanding.

Section 9. Publication. The City Recorder is hereby ordered to publish the Notice of Bonds to be Issued as provided in Section 39 of Resolution No. 1980-6, as amended by Section 6 of Resolution No. 1981-9 and by Section 7 of this Resolution.

Section 10. Contests. In accordance with Section 11-14-21(3) Utah Code Annotated 1953, for a period of thirty days after the date of the publication of the Notice of Bonds to be Issued, any person in interest shall have the right to contest the legality of such resolution, or any other proceedings pertaining to the bonds or any of the improvement revenue bonds authorized hereby, or any of the provisions made for the security and payment of such bonds, and after such time no one shall have any cause or action to contest the regularity, formality or legality thereof for any cause whatsoever.

ADOPTED AND APPROVED this 14th day of July, 1982.

(SEAL)

Mayor, City of Blanding, State of Utah

ATTEST:

City Recorder, City of Blanding,
State of Utah

6. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1982-15
A RESOLUTION AUTHORIZING EXECUTION
OF CONTRACT DOCUMENTS WITH THE UTAH
DIVISION OF COMMUNITY DEVELOPMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain contract by and between the City of Blanding and the State of Utah, Division of Community Development, relative to a grant to the City in the amount of \$120,000.00 for assistance in water improvement projects cost payments, that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 14th day of July, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

7. Motion was made by Councilmember Johnson, seconded by Councilmember Lyman and unanimously carried that the action taken in Item 12 of the minutes of City Council meeting held June 23, 1982 be rescinded and that the proposal of C. W. Silver Company for furnishing lighting fixtures and equipment for the ball fields located on the Blanding Recreation Complex, be accepted.

8. Councilmember Black reported the following:

- A. Limited assistance has been received from assignees of the Juvenile Court in weed removal from City streets.
- B. Paul McDonald is considering development of the area north of the Dry Wash Reservoir as a picnic and campground area for an Eagle Scout project.

9. The Council considered the following applicants for the position of Patrolman in the Blanding City Police Department:

Michael Bradford
George Frederick Gay
Carl Holliday
Clifton Kerbs
Lynn A. Wright

Motion was made by Councilmember Smith and seconded by Councilmember Lyman that the City hire Lynn A. Wright as Patrolman, voting on the motion being as follows:

Those voting "Aye":	Councilmember Lyman Councilmember Smith
Those voting "Nay":	Councilmember Black Councilmember Johnson
Those absent:	Councilmember Osborn

WHEREUPON Mayor Bradford declared the voting "tied" and cast a negative vote to defeat the motion.

Motion was made by Councilmember Black, seconded by Councilmember Johnson and unanimously carried that the City hire George Frederick Gay as a Patrolman at a salary of \$1,000.00 per month, to be increased to \$1,050.00 per month following 60 days satisfactory service.

10. Mayor Bradford advised the Council that Councilmember Osborn has requested time for the Planning Commission and all said Commission Task Committees to report their activities at the regular Council meeting to be held July 28, 1982. The Council agreed that such request should be honored and the meeting agenda be prepared accordingly.

11. The Engineer reviewed for the Council the Street Excavation Permit process and previous correspondence mailed to contractors relative to the same. The Council agreed that the process and regulations are adequate and that the same should be enforced following notice of requirements being again mailed to affected contractors.

At the request of Councilmember Lyman, the Council convened an executive session.

12. Councilmember Lyman requested the Council reconsider action taken in Item 9 hereof and, following such reconsideration, moved that the action taken be rescinded, which motion was seconded by Councilmember Smith and unanimously carried.

13. Motion was made by Councilmember Lyman, seconded by Councilmember Johnson and unanimously carried that Lynn A. Wright be hired by the City as Patrolman at a salary of \$1,000.00 per month with a \$50.00 per month salary increase following 60 days satisfactory service, effective subject only to Mr. Wright's availability.

14. Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that Lynn A. Wright be paid \$100.00 per month for services as City Fire Chief.

15. The Administrator reported the following:

- A. Satisfactory progress is being made on the watershed fence by CETA employees under the supervision of Drake Jones.
- B. The initial invoice on the airport Terminal Building totals \$30,411.00 and the same has been approved for payment by the project architect.
- C. There is an apparent need for additional manpower in operating and maintaining the City water and sewer systems. The Council declined to take action on this matter pending further study.

16. Councilmember Smith requested consideration be given to the eradication of noxious weeds on City owned property inclusive of City Streets. The Council agreed that proposals for such a program should be obtained from persons involved locally in such enterprises.

17. Mayor Bradford presented the following report and request in behalf of Councilmember Osborn:

From Councilman Osborn

Report from Planning Commission Meeting held Wednesday, July 7, 1982

ITEM I: Motion was made and passed to ask the City Council to pass a resolution to encourage agencies and other entities engaged in building or other forms of construction to; wherever possible, accept local bidders (if legal, even though they may be slightly higher than outside bids) and in all cases encourage the employment of local people to work on these projects.

That a copy of this resolution be sent to all agencies, etc.

ITEM II: The Planning Commission submits the name of Herb Clah to serve on the Planning Commission in place of Lynn Laws who has informally resigned.

ITEM III: Concern was expressed on the lack of activity with the sidewalk, curb and gutter along main street (Clarence Rogers and George Jones). Some concerns over street projects!

ITEM IV: For the July 28th City Council Meeting; progress reports from:
Hugh Kirkham, Subdivision Ordinance
All Task Committee Chairman

7/14/82 cont.

The Council gave its advise and consent to the appointment of Herb Clah to fill the unexpired term of Lynn Laws as a member of the Planning Commission.

18. Councilmember Johnson discussed with the Council the necessity for contractors licensed by the City to have a Utah State Contractors License as well as a Utah State Sales Tax License.

19. Mayor Bradford suggested that the Blanding Chamber of Commerce should be commended by letter for their assistance in preparation of the Blanding Tunnel commemoration program held July 5, 1982.

20. Mayor Bradford advised the Council that Neldon Holt, Blanding Postmaster, has completed requirements of him in connection with proposed residential mail delivery and that the next step in the qualifying process is a public meeting with postal department officials to be scheduled subject to their availability.

21. Councilmember Lyman reported that family members still plan to complete the Walter C. Lyman Memorial Park sign marker.

Meeting adjourned at 11:05 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING
OF THE BLANDING CITY COUNCIL
HELD JULY 28, 1982 AT 8:00
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

San Juan High Representative: Jana Lyman

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Also present were: Mr. Bill Osborn; Mr. Harold J. Lyman; Mr. Fred Ochoa; Mr. Hugh Kirkham; Mrs. Judy Mainord; Mr. Rayburn Jack; Mrs. Marsha Keele; Mr. Greg Christensen; Mr. Bruce Shumway; Mrs. Sandy Certonio; Mr. Clisbee N. Lyman; Mrs. Linda Shumway.

1. Minutes of City Council meeting held July 14, 1982 were approved.

2. Councilmember Osborn introduced the following resolution, which was thereupon read in full and is as follows:

RESOLUTION NO. 1982-16

A RESOLUTION AMENDING RESOLUTION NO. 1980-6, ADOPTED AND APPROVED ON MAY 14, 1980, AS AMENDED BY RESOLUTION 1981-9, ADOPTED AND APPROVED ON JULY 8, 1981, AND BY RESOLUTION NO. 1982-14, ADOPTED AND APPROVED ON JULY 14, 1982, ENTITLED: "A RESOLUTION CONCERNING THE JOINT ELECTRIC, WATER AND SEWER SYSTEM OF THE CITY OF BLANDING, UTAH; PROVIDING FOR THE ISSUANCE AND SALE OF JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$200,000.00 (TO BE EVIDENCED BY A SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND IN THE AMOUNT OF \$200,000.00); PROVIDING OTHER DETAILS RELATING THERETO; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH; AND REPEALING ALL ACTION IN CONFLICT HEREWITH;" SO AS TO CHANGE THE DUE DATES OF THE BONDS AUTHORIZED THEREIN; PROVIDING OTHER DETAILS RELATING THERETO; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH; AND REPEALING ALL ACTION IN CONFLICT HEREWITH.

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City to issue its bonds for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line (herein the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose; and

WHEREAS, at a special bond election held in the City on the 27th day of November, 1979, a majority of the qualified electors approved a proposal to authorize the City Council of the City (herein the "Council"), to issue and sell revenue bonds in the aggregate amount of \$250,000.00, or so much thereof as

may be necessary, in one or more series, and to mature in not more than twenty (20) years from their date or dates, for the Project, the question of the issuance of such bonds being in the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction, and other acquisition of a water well, a pump station and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?;

WHEREAS, the Council has not previously issued any of said bonds authorized at said November 27, 1979 election; and

WHEREAS, on May 14, 1980, by Resolution No. 1980-6, the City authorized the issuance of a portion of the bonds authorized at said election, i.e., its "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980," in the aggregate principal amount of \$200,000 (the bonds authorized by said Resolution No. 1980-6, as amended by Resolution 1981-9, Resolution No. 1982-14, and by this resolution, whether evidenced by serial coupon bonds or by a single registered bond in the denomination of \$200,000 are herein the "1980 Bonds" or "bonds"); and

WHEREAS, on July 8, 1981, by Resolution No. 1981-9 and on July 14, 1982, by Resolution No. 1982-14, the City amended Resolution 1980-6 in various aspects; and

WHEREAS, because of unanticipated delays, none of the bonds authorized by Resolution No. 1980-6 as amended by said Resolutions have been issued; and

WHEREAS, in order to now deliver the bonds authorized by said Resolution No. 1980-6, it is necessary and in the best interests of the City to amend said Resolution No. 1980-6 as amended by Resolutions Nos. 1981-9 and 1982-14 so as to change the due dates of the bonds therein authorized and to provide other details in connection with said bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, UTAH:

Section 1. Amendment. Sections 5, 6, 14 16, 21, 23 and 39 of Resolution No. 1980-6, adopted and approved on May 14, 1980 as amended by Resolution 1981-9, adopted and approved on July 8, 1981 and Resolution 1982-14, adopted and approved on July 14, 1982 be, and the same hereby are amended to read as follows:

"Section 5. Bond Details. The bonds shall be issued payable to bearer, dated as of the date of delivery, consisting of 40 bonds in the denomination of \$5,000 each, numbered consecutively in regular numerical order from 1 through 40, bearing no interest, the bonds being numbered and maturing serially in regular numerical order on the first day of ~~April~~ January in each of the designated amounts and years, as follows

Bond Numbers (<u>All Inclusive</u>)	Amounts <u>Maturing</u>	Years <u>Maturing</u>
1	\$ 5,000	1983
2	5,000	1984
3	5,000	1985
4	5,000	1986
5	5,000	1987
6	5,000	1988
7 - 10	20,000	1989
11 - 16	30,000	1990
17 - 22	30,000	1991
23 - 28	30,000	1992
29 - 34	30,000	1993
35 - 40	30,000	1994

The principal of the bonds (such principal of the bonds being herein sometimes designated as the "Bond Requirements") shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges at the Zions First National Bank, Salt Lake City, Utah (herein "Paying Agent"). Any registered single bond issued as hereafter provided shall mature in installments in the amounts and on the dates set forth above, and the principal installments thereof shall be paid by check mailed to the registered owner thereof as shown on the registration books of the City, provided, however, that the final installment of principal shall be paid only upon

presentation and surrender of such single bond at the Paying Agent when it becomes due.

"Section 6. Prior Redemption. All of the bonds shall be subject to redemption prior to their respective maturities, at the option of the City, in whole or in part, in inverse numerical order, on ~~April~~ January 1, 1983, or on any principal payment date thereafter, at a price equal to the principal amount of each bond so redeemed. Notice of redemption shall be given by the City Treasurer, in the name of the City, by publication of such notice at least once, not less than thirty days prior to the redemption date, in a newspaper of general circulation in the City, and a copy of such notice shall be sent by registered mail, at least thirty days prior to the redemption date (a) to the Purchaser, and (b) to the Paying Agent. Such notice shall specify the number or number of bonds to be so redeemed (if less than all are to be redeemed) and the date fixed for redemption, and shall further state that on such redemption date there will become and be due and payable upon each bond so to be redeemed at the Paying Agent the principal amount thereof. Notice having been given in the manner hereinbefore provided, the bond or bonds so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, the City will pay the bond or bonds so called for redemption. In the case of any registered single bond, installments of principal shall be subject to prepayment as if evidenced by the above designated bonds in the denomination of \$5,000 each.

"Section 14. Form of Bonds. The bonds, including the indebtedness certificate to be endorsed thereon and the registration panel thereon, shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF UTAH

COUNTY OF SAN JUAN

CITY OF BLANDING

JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND

SERIES APRIL 1, 1980

No. _____

\$5,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the bearer hereof, solely from the special funds provided therefor, as hereinafter set forth, on the first day of ~~April~~ January, 1983, the principal sum of

FIVE THOUSAND DOLLARS

The principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) is payable in lawful money of the United States of America, without deduction for exchange or collection charges, at the Zions First National Bank, Salt Lake City, Utah, upon presentation and surrender of this bond when it becomes due.

All bonds of the series of which this bond is a part (herein the "1980 Bonds" or merely the "bonds") are subject to prior redemption in inverse numerical order, at the option of the City, on the first day of ~~April~~, January, 1983, or on any ~~April~~ January 1 thereafter, at a price equal to the principal amount thereof. Redemption shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint

system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of the 1980 Bonds shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980 as amended by Resolution No. 1981-9, passed and approved on July 8, 1981, ~~and by~~ Resolution No. 1982-14, passed and approved on July 14, 1982 and by Resolution No. 1982-16, passed and approved on July 28, 1982 (as amended, the "Resolution"), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall first have been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of the bonds of the series of which this is one, and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of the 1980 Bonds, reference is made to the Resolution. The 1980 Bonds are equitably and ratably secured by a lien on the net revenues of the system and such bonds constitute ~~subject only and~~ ~~subordinate to the first lien of the City of Blanding, Joint~~ ~~Electric, Water and Sewer~~ ~~Refunding and Improvement Revenue~~ ~~Bonds, Series April 1, 1980~~, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to the series of which this is one, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of the 1980 Bonds, in accordance with the provisions of the Resolution.

The 1980 Bonds are issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of the 1980 Bonds, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of the bonds, the nature and extent of the security, the terms and conditions on which the bonds are to be issued, the rights, duties and obligations of the City, and the rights of any holder of the bonds.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is one of a duly authorized series of 40 bonds in the aggregate principal amount of \$200,000 for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

The 1980 Bonds are issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of the 1980 Bonds, and it covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on the 1980 Bonds and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond may be registered in the name of the holder subject to the terms and conditions set forth in the Resolution,

and, unless so registered, this bond shall be transferrable by delivery. This bond may be registered only as to principal. If this bond is registered it may be reconverted into a bond payable to bearer as provided in the Resolution.

Subject to the provisions for registration, this bond is subject to the conditions, and every holder hereof by accepting the same agrees with the obligor and every subsequent holder hereof, that (a) the delivery of this bond to any transferee shall vest title in this bond in such transferee to the same extent for all purposes as would the delivery under like circumstances of any negotiable instrument payable to bearer; (b) the obligor and any agent of the obligor may treat the bearer of this bond as the absolute owner hereof for all purposes, and shall not be affected by any notice to the contrary; (c) the principal of this bond shall be paid, and this bond is transferrable, free from and without regard to any equities between the obligor and the original or any intermediate holder hereof, or any setoffs or cross-claims; and (d) the surrender to the obligor or any agent of the obligor of this bond shall be a good discharge to the obligor for the same.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed, and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; and has caused the corporate seal to be hereto affixed, all as

of the date of delivery hereof which is _____.

Mayor, City of Blanding
County of San Juan, State of
Utah

Countersigned:

City Treasurer, City of
Blanding, County of San Juan,
State of Utah

(SEAL)

ATTEST:

City Recorder, City of Blanding
County of San Juan, State of Utah

(End of Form of Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of this _____.

City Recorder and Ex Officio City
Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Bond)

PROVISION FOR REGISTRATION AND RECONVERSION

This bond may be registered only as to both principal and interest on the books of the City, kept by the City Recorder as Registrar. Upon presentation hereof, the Registrar shall note such registration on such books and in the registration blank below. After registration this bond may be transferred by the registered owner or his legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said books and endorsed hereon. The principal of and interest on this bond, if registered, shall be payable only to, or upon the order of, the registered owner or his legal representative.

This bond, if registered, may be converted into a bearer bond, upon presentation to the Registrar, accompanied by an instrument duly executed by the registered owner, or his legal representative, in form satisfactory to the Registrar. In such case, the Registrar shall note below that this bond is payable to bearer. Such bearer bond may again be registered as provided above.

Every privilege of registration, transfer, discharge from registration, or conversion shall be exercised only in accordance with the authorizing resolution and such reasonable rules and regulations as the Registrar may prescribe.

The registration books shall be closed for 15 days prior to any principal payment date.

Date of
Registration

Name of
Registered Owner

Signature of
Registrar

(End of Form of Registration Panel on Back of Bond)

"Section 16. Form of Single Bond. The single Bond, including the indebtedness certificate to be endorsed thereon, the registration panel thereon and the form of assignment therefor, shall be in substantially the following form:

(Form of Single Bond)

UNITED STATES OF AMERICA

STATE OF UTAH

COUNTY OF SAN JUAN

CITY OF BLANDING

SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER

IMPROVEMENT REVENUE BOND

SERIES APRIL 1, 1980

No. R-1

\$200,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the registered owner hereof, solely from the special funds provided therefor, as hereinafter set forth, the principal sum above stated on ~~April 1~~ January 1 in the years and installments as follows:

<u>Years</u> <u>Maturing</u>	<u>Amounts</u> <u>Maturing</u>
1983	\$ 5,000
1984	5,000
1985	5,000
1986	5,000
1987	5,000
1988	5,000
1989	20,000
1990	30,000
1991	30,000
1992	30,000
1993	30,000
1994	30,000

Installments of principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) are payable in lawful money of the United States of America, without deduction for exchange or collection charges, by check mailed to the registered owner hereof as shown on the books of the City; however, the final payment of this bond is payable only upon presentation and surrender of this bond when it becomes due at the Zions First National Bank, Salt Lake City, Utah.

All installments of principal on this bond are subject to payment prior to their stated due date in inverse order of maturity, at the option of the City, on the first day of ~~April~~

January, 1983, or on any April 1 January 1 thereafter, in multiples of \$5,000. Such prepayments shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system") or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of this Bond shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980, as amended by Resolution No. 1981-9, passed and approved on the 8th day of July, 1981, and by Resolution No. 1982-14, passed and approved on July 14, 1982 and by Resolution No. 1982-16, passed and approved on July 28, 1982 (as amended, the "Resolution"), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund", into which funds the City covenants to pay respectively, from the net revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of this bond and to maintain a a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of this bond, reference is made to the Resolution. This bond is secured by a lien on the net revenues of the system and constitutes ~~subject only and subordinate to the first lien of the City of Blanding, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980~~, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net

revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to this bond, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of this bond, in accordance with the provisions of the Resolution.

This bond is issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of this bond, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of the Bond Requirements of this bond, the nature and extent of the security, the terms and conditions on which this bond is to be issued, the rights, duties and obligations of the City, and the rights of any holder of this bond.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is a duly authorized bond for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

This bond is issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limitation the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of this bond, and its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues

or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on this bond and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond is transferrable only upon books kept by the Recorder of the City as bond registrar by the registered owner hereof in person or by his duly authorized attorney, and similarly noted hereon, or it may be surrendered in exchange for new bonds of the same aggregate principal amount, in bearer form or in serial registered form, in the denomination of \$5,000 each, to the extent practicable and consistent with the maturity schedule provided in, and subject to, the conditions set forth in the Resolution.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; has caused the corporate seal to be hereto affixed, all as of the date of delivery hereof which

is _____.

Mayor, City of Blanding,
County of San Juan, State of
Utah

Countersigned:

City Treasurer, City of
Blanding, County of San Juan,
State of Utah

(SEAL)

ATTEST:

City Recorder, City of Blanding,
County of San Juan, State of Utah

(End of Form of Single Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan, State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of this _____.

City Recorder and Ex Officio
City Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Single Bond)

MANDATORY PROVISION FOR PAYMENT AS TO PRINCIPAL

The within single bond is registered in the office of the Recorder of the City of Blanding, San Juan County, Utah, a Registrar, in the name of the last owner listed below; and the principal amount of the bond shall be payable only to such owner, all in accordance with the resolution of the City authorizing the bond's issuance.

<u>Date of Registration</u>	<u>Name of Owner</u>	<u>Address of Owner</u>	<u>Signature of Registrar</u>
	State of Utah Board of Water Resources	231 East 400 South, Salt Lake City, Utah 84111	

(End of form of Registration Panel)

(Form of Assignment Panel on Back of Single Bond)

ASSIGNMENT PROVISION

For value received, _____ hereby assign and transfer unto _____ the within bond, together with accrued interest thereon, hereby irrevocably constituting and appointing _____ attorney to transfer this bond on the books of the City of Blanding at the office of the Recorder of the City with full power of substitution in the premises.

DATED: _____.

(End of Form of Assignment Panel)

"Section 21. Administration of Income Fund. So long as any of the 1980 Bonds shall be outstanding as to any Bond Requirements, the following payments shall be made from the Income Fund:

A. Operation and Maintenance Expenses. Firstly, as a first charge thereon, there shall be set aside each month as an operation and maintenance fund such reasonable percentage of the Income Fund as the City Council shall determine to be necessary and reasonable to defray operation and maintenance expenses of the joint system. Any surplus remaining at the end of the fiscal year and not needed for operation and maintenance purposes, shall be transferred to the Income Fund and be used for the purposes thereof, as herein provided. The term "operation and maintenance expenses", as used in this resolution, means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the joint system.

~~But the Principal Interest and Reserve Requirements for 1980 Bonds, secondly, after provision is made for operation and maintenance as aforesaid, for as long as the 1980 Bonds are outstanding, the said City shall set aside and pay monthly the amounts required by paragraphs B and C of Section 12 of Ordinance No. 1958-1, such payments to be from net revenues, i.e., the moneys remaining after payment only of operation and maintenance expenses, and provision is made for the aforesaid~~

C. B. Bond Requirements for 1980 Bonds. ~~Thirdly,~~ Secondly, after provision is made for the aforesaid payments, and concurrently with the payments required by paragraphs C and D of Section 16 of Ordinance No. 1975-1, and by paragraph D C of this Section, from such net revenues (i.e., of the moneys remaining in the Income Fund after payment only of operation and maintenance expenses), ~~and provision is made for the aforesaid~~ Bonds, there shall be credited to a separate account hereby created and to be known as the "City of Blanding", Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund" (herein "1980 Bond Fund"), monthly, commencing on the first day of the month immediately succeeding the first or only

date on which any of the 1980 bonds are delivered, an amount in equal monthly installments necessary, together with any moneys therein and available therefor, to pay the next maturing installment of principal on the outstanding 1980 bonds, and monthly thereafter, commencing on said payment date, one-twelfth of the amount necessary to pay the next maturing installment of principal on the 1980 bonds.

D. C. 1980 Reserve Fund Payments. ~~FOURTHLY~~

Thirdly, into a separate account hereby created, to be kept separate from all other accounts and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund" (herein sometimes referred to as the "1980 Reserve Fund" or "Reserve Fund"), and ~~all the~~ ~~payments required by~~ ~~paragraphs C and D of Section 16 of Ordinance No. 1975-1~~ ~~and by paragraph C of this Section, from any moneys~~ ~~remaining in the Income Fund there shall be set~~ ~~aside and paid monthly at least \$303.00 per month~~ ~~commencing not later than the first day of the~~ ~~month succeeding delivery of any of the bonds, and~~ ~~the first day of each month thereafter, until a~~ ~~reserve has been accumulated in an amount equal to~~ ~~not less than \$18,180 (herein "1980 Minimum~~ ~~Reserve.")~~. After the 1980 Minimum Reserve has been accumulated, such amounts or amount, if any, shall be deposited monthly from any moneys remaining in the Income Fund into the Reserve Fund necessary to maintain the 1980 Reserve Fund as a continuing reserve in an amount not less than the 1980 Minimum Reserve to meet possible deficiencies in the 1980 Bond Fund. No payment need be made into the 1980 Reserve Fund so long as the moneys therein shall equal not less than the 1980 Minimum Reserve. The moneys in the 1980 Reserve Fund shall be accumulated and maintained as a continuing reserve to be used, except as hereinafter provided in paragraphs D and E of this Section 21, only to prevent deficiencies in the payment of the Bond Requirements on the 1980 Bonds hereby authorized

resulting from the failure to deposit into the 1980 Bond Fund sufficient funds to pay such Bond Requirements as the same accrue.

E. D. Termination Upon Deposits to Maturity. No payment need be made into the 1980 Bond Fund, the 1980 Reserve Fund, or both, if the amounts in the designated two funds total a sum at least equal to the entire amount of the outstanding 1980 Bonds, as to all Bond Requirements to their respective maturities or due dates, and both accrued and not accrued, in which case, moneys in such two funds in an amount at least equal to such Bond Requirements shall be used solely to pay such as the same accrue, and any moneys in excess thereof in such funds and any other moneys derived from the operation of the system may be used in any lawful manner determined by the Council.

F. E. Defraying Delinquencies in 1980 Bond and Reserve Funds. If, in any month, the City shall, for any reason fail to pay into the 1980 Bond Fund the full amount above stipulated from the net revenues of the joint system, then an amount shall be paid into the 1980 Bond Fund in such month from the 1980 Reserve Fund equal to the difference between that paid from such portion of the net income and the full amount so stipulated. The money so used shall be replaced in the 1980 Reserve Fund from the first revenues thereafter received from the operation of the joint system, not required to be otherwise applied. If, in any month, the City shall, for any reason, fail to pay into the 1980 Reserve Fund the full amount above stipulated from the net income, the difference between the amount paid and the amount so stipulated shall in a like manner be paid therein from the first revenues thereafter received from the operation of the system not required to be otherwise applied. The money in the 1980 Bond Fund and the 1980 Reserve Fund shall be used solely and only for the purpose of paying the Bond Requirements of the 1980 bonds; but any moneys at any time in excess of the Minimum Reserve in the 1980 Reserve Fund may be withdrawn therefrom and used in the

same manner as net income of the joint system as herein provided; and any moneys in the 1980 Bond Fund and the 1980 Reserve Fund in excess of accrued and unaccrued Bond Requirements to the respective maturities or due dates of the outstanding bonds may be used as hereinabove provided in paragraph ~~E~~ D of this Section 21.

~~G. E.~~ Payment of Additional Obligations. ~~Fifthly~~ Fourthly, any balance remaining in the Income Fund, after provision is made for the aforesaid payments, may be used by the City for the payment of interest on and the principal of additional bonds or other obligations hereafter authorized to be issued and payable from the revenues of the joint system, including reasonable reserves therefor, as the same accrue; but the lien of such additional bonds or other obligations on the net income and revenues of the joint system and the pledge thereof for the payment of such additional obligations shall be on a parity with, or subordinate to, the lien and pledge of the 1980 Bonds, as hereinafter provided. Any payments into a bond fund or reserve fund for any additional parity obligations may be made concurrently with the payments required by paragraphs ~~C~~ B and ~~D~~ C of this Section.

~~H. G.~~ Repair and Replacement Fund. ~~Sixthly~~ Fifthly, after making the payments hereinabove required to be made by paragraphs A to ~~G~~ F, inclusive, of this Section, there shall be deposited annually, commencing on the first day of April, 1981 and on April 1 in each of the years 1982 to 1985, into a separate account hereby created and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980 Repair and Replacement Fund" (herein the "Repair and Replacement Fund") not less than \$1,000 per year until not less than \$5,000 has been accumulated therein (herein the "Minimum Repair and Replacement Accumulation."). After the Minimum Repair and Replacement Accumulation has been accumulated, such amounts or amount, if any, shall be deposited annually from any moneys remaining in the Income Fund into the Repair and Replacement Fund as a continuing reserve in an amount not less than the Minimum Repair

and Replacement Accumulation. No payment need be made into the Repair and Replacement Fund so long as the moneys therein shall equal not less than the Minimum Repair and Replacement Accumulation. The moneys in the Repair and Replacement Fund shall be used solely to pay the costs of repairs to and replacements for the joint system; provided, however, that if necessary to prevent a default in the payment the principal of or interest on any bonds or other obligations payable from the net revenues of the joint system, including the 1980 Bonds, moneys in the Repair and Replacement Fund may be used for the purpose of paying such principal or interest. Amounts in excess of the Minimum Repair and Replacement Accumulation may be withdrawn and used for any lawful purpose.

Y. H. Use of Surplus Revenues. After making the payments hereinabove required to be made by paragraphs A to H G, inclusive, of this Section, any remaining income and revenues derived from the operation of the joint system in the Income Fund shall be used for any one or any combination of purposes, as follows:

(1) For the prior redemption of the bonds or any other outstanding bonds or other obligations incurred and payable from the revenues of the joint system, in accordance with the provisions of the bonds or other obligations and the ordinance or resolution authorizing their issuance, including but not necessarily limited to this resolution;

(2) For the improvement and extension of the joint system; and

(3) As the City Council at its option may from time to time determine and direct.

"Section 23. Bond Lien. The 1980 Bonds, subject to the payment of operation and maintenance expenses of the joint system, ~~and subject to the lien of the 1980 Bonds, the payment of which lien is as hereinabove provided,~~ constitute an irrevocable and first (but not necessarily an exclusively first) lien upon the revenues derived from the operation of the joint system, said lien being ~~subordinate to the lien thereof of the~~

~~outstanding/1975/Bonds/AA~~ on a parity with the lien thereon of the outstanding 1975 Bonds.

"Section 39. Publication of Notice of Bonds to Be Issued. Pursuant to Section 11-14-21(2), UCA, 1953, as amended, the City Recorder is hereby authorized and directed to publish a notice of bonds to be issued in the San Juan Record, the legal newspaper of the City, which is in general circulation therein (there being no newspaper published in the City) by at least one insertion in said newspaper. Said notice shall be in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

City of Blanding, Utah

NOTICE IS HEREBY GIVEN pursuant to Section 11-14-21, Utah Code Annotated, 1953, that the City of Blanding will issue its bonds described as the "City of Blanding, Utah, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1980" which may be evidenced by a single registered bond (such bonds, whether evidenced by 40 \$5,000 denomination bonds or by a single registered \$200,000 denomination bond, are herein referred to as the "Bonds").

The issuer of the Bonds is the City of Blanding, Utah. The Bonds are being issued for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station and a water transmission line, and all costs incident to the authorization and issuance of Bonds. The Bonds shall be revenue bonds payable solely from the net revenues of the City's joint electric, water and sewer system. The Bonds shall be dated as of the date of delivery, shall be evidenced by a registered bond in the denomination of \$200,000 payable in installments of principal of \$5,000 per year on ~~April 1~~ January 1 in each of the years 1983 to 1988, inclusive, \$20,000 on ~~April 1~~ January 1, 1989, and \$30,000 per year on January 1 in each of the years 1990 to 1994, inclusive; however, such single bond may be exchanged for negotiable bearer bonds or registered bonds, in the denomination of \$5,000 each, in an aggregate principal equal to the amount of unpaid principal installments on such single bond, numbered and maturing on ~~April 1~~ January 1 in each of the designated years in the amounts as follows:

<u>Bond Numbers</u> <u>(All Inclusive)</u>	<u>Principal</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1983
2	5,000	1984
3	5,000	1985
4	5,000	1986
5	5,000	1987
6	5,000	1988
7 - 10	20,000	1989
11 - 16	30,000	1990
17 - 22	30,000	1991
23 - 28	30,000	1992
29 - 34	30,000	1993
35 - 40	30,000	1994

The Bonds shall not bear any interest. The Bonds are being purchased for their par amount (i.e., \$200,000) with no discount and no premium. No deposit has been made by the Purchaser of the Bonds. The Purchaser of all of the Bonds is the State of Utah, acting by and through the Board of Water Resources.

Copies of the Resolutions of the City authorizing the Bonds, (i.e., Resolution No. 1980-6, as amended and supplemented by Resolution 1981-9, ~~and~~ by Resolution 1982-14, and by Resolution 1982-16) and other proceedings pertaining thereto may be examined at the office of the City Recorder between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday (i.e., during regular business hours of the City). Such copies shall be available for inspection at least until August²⁷, 1982 (i.e., 30 days following the publication of this Notice).

Dated this July 28, 1982.

Mayor

(SEAL)

City Recorder

(End of Notice)"

Section 2. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation:

A. Printing Bonds. The printing of the bonds, and

B. Final Certificates. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing of the bonds, the tenure and identity of the officials of the Council and of the City, the delivery of the bonds, the receipt of the bond purchase price, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof, and also relating to the absence and existence of factors affecting the status of the bonds under Section 103(c) of the Internal Revenue Code of 1954.

Section 3. Privilege of Amendments. This resolution may be amended or supplemented by instruments adopted by the Council in accordance with the laws of the State, without receipt by the City of any additional consideration, but with the written consent of the holders of 66% in aggregate principal amount of the bonds authorized by Resolution 1980-6 as amended by Resolution 1981-9, Resolution 1982-14, and by this Resolution and outstanding at the time of the adoption of such amendatory or supplemental instrument (not including in any case any bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the bonds herein authorized if such refunding securities are not owned by the City).

Section 4. Limitations upon Amendments. No such instrument shall have the effect of permitting, without the consent of the holders of 100% in aggregate principal amount of the 1980 Bonds outstanding at the time of the adoption of such instrument:

A. A change in the maturity or in the terms of redemption of the principal of any outstanding bond; or

B. A reduction in the principal amount of any bond, without the consent of the holder of the bonds; or

C. The creation of a lien upon or a pledge of revenues ranking prior to the lien or the pledge created by this resolution; or

D. A reduction of the principal amount or percentages or otherwise affecting the description

of bonds, the consent of the holders of which is required for any such modification or amendment; or

E. The establishment of priorities as between bonds issued and outstanding under the provisions of this resolution; or

F. The modification of or otherwise affecting the rights of the holders of less than all of the bonds then outstanding.

Section 5. Resolution Irrepealable. The provisions of this resolution shall constitute an irrevocable contract between the City and the holder or holders of the 1980 Bonds. After the issuance of any of the 1980 Bonds, this resolution shall be and remain irrepealable, and no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner, except as provided in Sections 3 and 4 of this resolution, until such time as all of the Bond Requirements of the 1980 Bonds (as defined in Resolution No. 1980-6 as amended by Resolution 1981-9, Resolution 1982-14, and hereby) shall have been paid in full, cancelled and discharged, as provided in Resolution No. 1980-6 as amended by Resolution No. 1981-9, Resolution 82-14 and hereby, or provision duly made therefor.

Section 6. Repealer. All provisions of Resolution No. 1980-6 as amended in Resolution 1981-9 and in Resolution 1982-14 except those expressly amended hereby shall remain in full force and effect as originally passed and adopted. All orders, bylaws, and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any order, bylaw, or resolution, or part thereof, heretofore repealed.

Section 7. Severability Clause. If any section, paragraph, clause or provision of this resolution shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 8. Effective Date. This resolution shall become effective and be in full force and effect after its passage by the City Council of the City of Blanding.

Section 9. Publication. The City Recorder is hereby ordered to publish the Notice of Bonds to be Issued as provided

in Section 39 of Resolution No. 1980-6, as amended by Resolution No. 1981-9, by Resolution No. 1982-14, and by this Resolution.

Section 10. Contests. In accordance with Section 11-14-21(3) Utah Code Annotated 1953, for a period of thirty days after the date of the publication of the Notice of Bonds to be Issued, any person in interest shall have the right to contest the legality of such resolution, or any other proceedings pertaining to the bonds or any of the improvement revenue bonds authorized hereby, or any of the provisions made for the security and payment of such bonds, and after such time no one shall have any cause or action to contest the regularity, formality or legality thereof for any cause whatsoever.

ADOPTED AND APPROVED this 28th day of July, 1982.



Mayor, City of Blanding, State of
Utah

(SEAL)

ATTEST:

City Recorder, City of Blanding,
State of Utah

Councilmember Osborn moved the adoption of the foregoing resolution, which motion was seconded by Councilman Black, put to a vote, and was carried by the affirmative vote of all members, the vote of the Council being as follows:

Those Voting Aye: Cleal Z. Bradford
 Bruce N. Black
 Clea S. Johnson
 Francis M. Lyman
 J. Carl Osborn
 Don E. Smith


Those Voting Nay: None

Those Absent: None

Thereupon, other business not concerning joint system facilities or revenue bonds was considered.

Thereafter, there being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

ADOPTED AND APPROVED this 28th day of July, 1982.



Mayor, City of Blanding, State of
Utah

(SEAL)

ATTEST:

City Recorder, City of Blanding,
State of Utah

3. Motion for adoption of the following resolution was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried:

RESOLUTION NO. 1982-17

AUTHORIZING EXECUTION OF AN AGREEMENT
RELATIVE TO RECEIPT OF PEDESTRIAN
SAFETY FUNDS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Supplement to Agreement No. 80-7315, by and between the City of Blanding and the Utah Department of Transportation, appropriating to the City the amount of \$4,000 from the Department Pedestrian Safety Program; that a copy of the said Supplement to Agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 28th day of July, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

4. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1982-18

A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONTRACT AGREEMENT WITH THE UTAH DEPARTMENT
OF COMMUNITY AND ECONOMIC DEVELOPMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Contract Agreement by and between the City and the Utah Department of Community and Economic Development appropriating to the City the sum of \$59,500 for water improvement projects; that a copy of the said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 28th day of July, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

5. Mr. Hugh Kirkham reviewed with the Council Chapter 12-300 of the City Ordinance relative to subdivision development and recommended in behalf of the Planning Commission, certain revisions to such ordinance be effected. It was agreed that the Planning Commission should present the proposed revisions in written form for Council consideration.

6. The following Planning Commission Task Committees, through their assigned reporting official, reported their activities and progress to the Council:

A. HEALTH COMMITTEE:

Rayburn Jack, reporting official

The application for an Emergency Care Center as an addition to the San Juan Nursing Home, has been submitted to the appropriate federal and state agencies, inclusive of a Certificate of Need, A Letter of Intent and Justification of Need. It is anticipated that the application will be processed under an "Expedited Review" program and that plans and specifications will be completed in time to permit advertisement for bids by August 15, 1982.

B. Streets and Sidewalks Committee

Judy Mainord, reporting official.

Considerable difficulty has been encountered in obtaining agreements from residents along the west side of 1st West Street relative to cooperative curb, gutter and sidewalk construction. The Committee will continue to pursue the matter subject to the City Engineer obtaining approval of concerned residents relative to distance of curb from property lines.

A letter read to the Council was approved for mailing to persons involved in the proposed 1st West Street curb, gutter and sidewalk construction program.

Curb, gutter and sidewalk construction priorities remain unchanged from a year earlier. It was agreed that the committee should consider the addition of 8th North Street south of the San Juan Nursing Home, for inclusion in the 1982 construction program.

C. Economic Development Committee.

Harold J. Lyman, reporting official.

The Committee has two assignments 1) develop an industrial park, 2) prepare a master plan for economic development.

In fulfilling their assignments the committee has concluded to visit other areas to avail of information and expertise gained by those who have developed industrial parks, and to prepare a master plan designed to accomplish the following:

1. Support and strengthen existing business
2. Expand existing business
3. Promote new business

The master plan will place emphasis on the tourist industry, promote post high school and continuing education through the expanded facilities of the San Juan Center, encourage and invite Navajo Reservation residents to shop in the community, promote the area as a retirement community and develop and expand the local technology base.

D. Parks and Recreation.

Linda Shumway, reporting official

The committee is assisting in obtaining volunteer assistance to complete the Blanding Recreation Complex.

E. Public Safety

Francis M. Lyman, reporting official

The committee is organized and functioning. The Chief of Police and Fire Chief are in process of preparing an Evacuation and Disaster Plan. The Public Safety portion of the City Master Plan is complete and currently adequate. A floor plan for the proposed new fire station is currently being prepared.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the Planning Commission Task Committees be commended for their contribution to the City and its citizens.

7. Mayor Bradford notified all present of a seminar to be conducted by Mrs. Francis Roper of the Utah Department of Community Development at the City Hall on August 5, 1982 at 7:00 O'Clock P.M., relative to planning and promoting community growth.

8. The Engineer reported the following:

- A. A preconstruction conference will be held with the successful bidders on Phases I, II and III of the proposed current water system improvement projects, on Wednesday, August 4, 1982 at 2:00 O'Clock P.M. in the City Hall. Subject to the availability of performance and payment bonds, "NOTICE TO PROCEED" will be issued.

July 28, 1982

-4-

- B. Contrary to prior reports, culinary water has been being used from the Westwater Reservoir.
 - C. It is anticipated that the Proposed Wastewater Treatment Improvement project will be advertised for bid on September 1, 1982.
9. Councilmember Black advised that a meeting will be held during the ensuing week with U. S. Forest Service officials relative to possible development of a public campground north of the Dry Wash Reservoir.
10. At the request of Councilmember Black, the Council agreed that the City should obtain a one-year subscription to the publication Utah Waterline, at a cost of \$52.00.
11. Mayor Bradford reported the following:
- A. A public meeting will be conducted by the U. S. Postal Department at the Blanding Elementary School on Tuesday, August 10, 1982 at 7:00 O'Clock P.M. for the purpose of discussing residential mail delivery in the community.
 - B. The U. S. Department of the Interior will effect a new program for handling purchasing or leasing of federal lands after August 31, 1982, at which time all applications for purchases or leases will be reviewed and handled by a presidential review board. Prior to such effective date, applications will continue to be reviewed by the Bureau of Land Management district offices.
12. The Council agreed that discussions relative to City-Blanding Irrigation Company cooperative water system maintenance and improvements should be deferred pending the said company convening its Board of Directors and the resolution of issues currently before them.

Meeting adjourned at 10:15 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING
OF THE BLANDING CITY COUNCIL
HELD AUGUST 11, 1982 AT 8:00
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Administrator Francis D. Nielson
City Engineer: Philip L. Palmer

Also present were: Edward Scherick, Kenneth Christensen, Bureau of Land Management; Donald V. Jack, Superintendent of Schools, San Juan School District; Laurel Reed, Betty Pehrson, Letha Shumway, Lynda Shumway, Blanding Parents and Teachers Association; Marsha Keele.

1. Prayer was offered by the Engineer.
2. Minutes of City Council meeting held July 28, 1982 were approved.
3. Mr. Edward Scherick, U. S. Bureau of Land Management discussed with the Council the newly adopted federal Asset Management Act and the necessity for eligible applicants to select land they propose to use for public and recreation purposes prior to September 1, 1982 for handling on a local basis rather than by the Asset Management Board in Washington D. C.
4. Following a discussion with members of the local Parents and Teachers Association relative to obtaining guards for the crosswalks where flashing school zone signs have been installed, motion was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried that the City advertise through regular process for needed school zone crossing guards to be paid the minimum wage, funded from the Public Safety budget and given training, as required, by the Police Department.
5. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1982-19
A RESOLUTION RATIFYING AND CONFIRMING
THE ACTION OF THE MAYOR IN EXECUTING
AN AGREEMENT WITH THE UTAH DEPARTMENT
OF TRANSPORTATION

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor in executing that certain agreement, dated August 4, 1982, by and between the City and the Utah Department of Transportation relative to the installation of flashing school signs in the area of U. S. Highway 163 and 100 East Street within the City of Blanding, be, and the same is hereby, ratified and confirmed; that a copy of such agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 11th day of August, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

6. The Engineer reported the following:

- A. The proposed meeting with U. S. Forest Service officials relative to the Plan of Operation on the water improvement projects at Johnson Creek and Indian Creek has been re-scheduled for August 17, 1982; that there may be a problem with the successful bidder on these projects, regarding their obtaining the required performance and payment bonds.
- B. The sewer treatment facilities project will be advertised the latter part of the month and approximately forty (40) contractors have already indicated an interest in submitting bid proposals.
- C. Work on the Blanding Recreation Complex is proceeding, with installation of electrical and sprinkling equipment planned for completion by September 30, 1982 to accommodate placing of sod on the small ball diamond at that date.

7. Councilmember Osborn inquired as to any action which might have been taken regarding an earlier request by the Chamber of Commerce to provide them telephone answering service in the city offices. Following discussion of the matter, the Council agreed that, prior to making a decision, proposals for a building telephone system should be obtained.

8. Councilmember Osborn presented a list of property owners pertinent to the current curb, gutter and sidewalk program, who need to be contacted further relative to their participation.

9. Councilmember Osborn reported that the Planning Commission will complete its assignment on the subdivision and animal control ordinances for consideration at the next regular council meeting.

10. Councilmember Lyman reviewed briefly the current Police Department activity report and advised that department personnel problems have been resolved through a review board.

11. Mayor Bradford advised that he has recommended to San Juan County a written agreement relative to law enforcement agencies cooperative efforts.

12. The Council discussed briefly the need for street construction in the area of the Utah State Detention Center. It was noted that the area is outside the corporate limits of Blanding City.

13. Councilmember Black advised the Council and/or discussed with them the following:

- A. Dogs owned by Melvin M. Halliday and Stanley Hawkins are causing considerable difficulty in their respective neighborhoods. The Council ordered that action be taken to handle this matter.
- B. There may be some Blanding Irrigation Company water shares available at \$3.50 per share. The Council authorized negotiations for purchase of any available Blanding Irrigation Company water shares at a price of not more than \$3.50 per share.
- C. The minutes should record that there is "extremely fine moisture falling". (Recorders Comment: 'It should be noted that such moisture is from the sky.')

14. Mayor Bradford reported that the public meeting held August 10, 1982 relative to postal delivery service in the community resulted in a decision that such service will be instituted subject to the City granting an easement in the streets for installation of necessary facilities and agreeing to keep such facilities reasonably clear of obstacles and accessible to public use.

Motion was made by Councilmember Osborn and seconded by Councilmember Smith that the City grant the necessary easement to the U.S. Postal Department for installation of Neighborhood Delivery/Collection boxes at various places on the streets of the City; that the City cooperate in keeping the areas of

such box installations clear of obstacles and accessible to the public; that the City inspect and approve the individual site location of said boxes prior to their final installation.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Johnson
	Councilmember Osborn
	Councilmember Smith

Those voting "Nay":	Councilmember Black
	Councilmember Lyman

Whereupon Mayor Bradford declared the motion carried.

15. The Council discussed citizenry complaints relative to the locked hours of the local Post Office and the difficulty encountered from closing of the service counter during the 1:15 P.M. to 2:15 p.m. hour.

Motion was made by Councilmember Osborn, seconded by Councilmember Lyman and unanimously carried that the City authorize the Blanding Police Department to effect the evening locking of the Blanding Post Office building subject to the City disclaiming any responsibility for damages which might occur to such building during the period the same is unattended by Postal Service employees regardless of whether the building may remain open due to preoccupation or through neglect of City Police Department personnel.

16. Mayor Bradford reported and/or discussed the following items with the Council:

A. Mrs. Frances A. Roper conducted a beneficial workshop for interested citizens on August 10, 1982 relative to community economic growth and development.

B. Artists concept of the proposed San Juan Education Complex.

Motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the City prepare a letter of support to be used by the San Juan Foundation in application for lands and funding relative to development of the proposed San Juan Education Complex.

C. On August 31, 1982, Governor Scott Matheson will hold a public meeting in San Juan County relative to the proposed Gibson Dome Spent Nuclear Fuel Repository study. Grand and San Juan Counties are organizing to promote citizen attendance at the meeting to express opinion on the matter. Blanding City is expected to utilize a mobil public address system to alert the citizenry to the necessity of actively participating in the scheduled meeting.

D. Mr. Carl Eiseman has been appointed by Governor Matheson as area information specialist on matters of nuclear waste.

17. The Council again discussed use of City land lying adjacent to the northern portion of the Blanding Airport as an industrial park.

Motion was made by Councilmember Black, seconded by Councilmember Osborn and unanimously carried that the City authorize use of the city-owned land lying between U. S. Highway 163 and the northern portion of the Blanding Airport, not already programmed for specific use, as an industrial park.

18. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried:

RESOLUTION NO. 1982-20

A RESOLUTION AUTHORIZING EXECUTION OF CONSTRUCTION CONTRACTS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute the contract documents relative to water improvement projects, by and between the City of Blanding and Albrecht Construction Co., as well as by and between the City of Blanding and E. A. Black Plumbing and Heating, subject to proper payment and performance bonds accompanying such contracts; that a copy of the contracts shall be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 11th day of August, 1982

Cleal Z. Bradford
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 11:10 P.M.

Francis D. Nielson
Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD AUGUST
25th, 1982 AT 8:00 O'CLOCK P.M. IN
THE CITY HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws

Absent was Councilmember Don E. Smith

Also present were: Judy Mainord; Lynda Shumway; Jay N. Lyman; Gary Lyman, Joan Lyman, Cory Lyman, Lynn F. Lyman; Vernon Condor, Horrocks Engineers.

1. Prayer was offered by Councilmember Black.
2. Minutes of City Council meeting held August 11, 1982 were approved.
3. Mrs. Judy Mainord presented the following to the Council:

By majority agreement of the members of the Street and Sidewalk Task Force of the City of Blanding we recommend the following resolution to the Blanding City Council:

That all curbs and gutters are constructed at such a point which allow the streets to be a minimum width of 60 feet from back of curb to back of curb.

4. The Council discussed with Mr. Lynn F. Lyman and Mr. Jay N. Lyman, engineering design for City streets.

Motion was made by Councilmember Osborn and seconded by Councilmember Black that the engineering design for 100 West Street between 200 North Street and 500 South Street, for those areas not yet developed, be as follows:

1 foot between property line and sidewalk
4 feet wide sidewalk
13 feet from sidewalk to back of curb.
64 feet traffic area from back of curb to back of curb;
curb and gutter radius at East-West intersecting streets
be fixed to accommodate 60 feet traffic area from back
of curb to back of curb.

Voting on the motion was as follows.

Those voting "Aye": Councilmember Black
Councilmember Johnson
Councilmember Osborn

Those voting "Nay": Councilmember Lyman

Those absent: Councilmember Smith

Whereupon Mayor Bradford declared the motion carried.

5. Motion was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried that the action taken in Item 3 above be rescinded and that the engineering design for construction of 200 West Street, in those areas not yet developed, be as follows:

1 foot between property lines sidewalk
4 feet wide sidewalk
13 feet between sidewalk and back of curb
64 feet traffic area from back of curb to back of curb.
Curb and gutter radius at intersecting East-West streets
be fixed to accommodate a minimum 60 feet traffic area
from back of curb to back of curb.

6. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the curb and gutter radius from 100 West Street west to 100 and 200 So Streets, be fixed to accommodate a 60 feet traffic area from back of curb to back of curb.

7. The Council discussed with Mrs. Lynda Shumway, Chairman, Planning Commission, possible revisions to the City Ordinance regulating subdivision development. Mayor Bradford requested that recommended changes be in written form indicating deleted wording and additions.

The Council further formally requested that the Planning Commission consider an animal control ordinance for the City.

8. The Engineer reported the following to the Council:

- A. Horrocks Engineers have advised that Utah Department of Health officials are now reviewing plans and specifications relative to the proposed City Sanitary Sewer Treatment facilities. Apparently, advertising for bids on the project will not be allowed during the review process.
- B. The proposed 700 North-200 West Streets watermain project has been advertised for bids to be received and opened at 5:00 o'clock P.M. September 8, 1982.
- C. Lighting fixtures are on hand for the Blanding Recreation Complex ball fields.
- D. A portion of the 100 West Street curb, gutter and sidewalk project has been completed. Some owners of property abutting said street are unwilling to participate in the project.
- E. Specifications necessary to advertisement for bid proposals to supply sprinkling system equipment for the Blanding Recreation Complex are nearing completion.

9. The Recorder advised that the final certificates relative to the \$200,000 loan from the Utah Board of Water Resources are tentatively scheduled for delivery during the week of September 6-10, 1982.

10. Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that Richard D. Laws be appointed Director of Public Works for Blanding City, effective at September 1, 1982, at a monthly salary of \$2,107.00; that a job description of such position be prepared for review by the Council at their regular meeting scheduled for September 8, 1982.

11. The Council discussed briefly alleged misuse of City equipment by employees.

12. Councilmember Lyman advised that the Blanding Post Office service counter is now open from 9:00 A.M. to 5:00 P.M. and that the building will remain open for public postal facility use at all hours.

13. Councilmember Osborn advised that a banner has been purchased for placement at the Main Street-Center Street intersection indicating a welcome to all traveling into the community.

14. Mayor Bradford reported and/or discussed with the Council the following:

- A. Land owned by the United States of America, currently under the administrative jurisdiction of the Department of the Interior, Bureau of Land Management, lying in Section 21, Township 36 South, Range 22 East, SLB&M and Section 23, Township 37 South, Range 22 East, SLB&M, previously considered necessary to the City of Blanding as solid waste and sewer fluent land application treatment sites, respectively, are available under either Recreation and Public Purposes lease arrangement or by direct

sale based on appraised market value. The preliminary appraised value of the foregoing tracts is \$250.00 per acre.

Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the City advise the U. S. Bureau of Land Management, through required channels, that the City intends to avail of the NW $\frac{1}{4}$ of Section 21, Township 36 South, Range 22 East, SLB&M; and the SW $\frac{1}{4}$ of Section 23, Township 37 South, Range 22 East, SLB&M, for municipal purposes either through Recreation and Public Purposes Lease or by direct purchase.

- B. At a meeting of the Blanding Irrigation Company Board of Directors, agreement was reached authorizing a \$5,000.00 expenditure of Irrigation Company funds for maintenance and improvements on the Upper Ditch. The meeting agenda also included discussion of a cooperative ditch maintenance agreement between the Company and the City which would anticipate greater ditch use by the City and an equal sharing of maintenance costs. The City will prepare a draft of such an agreement for later consideration. Although no official action was taken by the Irrigation Company Board of Directors, there was an apparent reluctance to participate financially in improvements to the Blanding Tunnel currently under contract by the City. Further dialogue is anticipated on this matter.

Meeting adjourned at 11:10 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD OCTOBER
13, 1982 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL.

Present were: Mayor Cleal Z. Bradford
Councilmembers: Bruce N. Black (9:10 P.M.)
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Recorder: Francis D. Nielson
Engineer: Philip L. Palmer
Director of Public Works: Richard D. Laws
Attorney: Craig C. Halls

Absent: Councilmember Don E. Smith

Also Present: Mr. Alexander A. Fisher; Mrs. Cecelia Tibbitts; Mrs. Marsha Keele

1. Prayer was offered by Councilmember Osborn.
2. Minutes of City Council meeting held September 22, 1982 were approved.
3. The Recorder reviewed with the Council, letters from the Utah Department of Health and Utah Division of Water Resources relative to proposed sewer treatment facilities and water improvement projects, respectively. Inasmuch as both communications addressed matters of engineering, the Council requested the City's consultants, Horrocks Engineers, be advised of the necessity for expeditious compliance with requirements of the respective agencies.
4. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried:

RESOLUTION NO. 1982-21
A RESOLUTION AUTHORIZING THE TRANSFER
OF FUNDS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be transferred from the Blanding City Electric, Water and Sewer Investment Fund, Account No. 0994653, the amount of \$51,200.00 to the Utah Board of Water Resources/Blanding City Escrow Fund, Account No. 0994675; such action constituting an intrabank transfer by Zions First National Bank, Salt Lake City, Utah.

PASSED, ADOPTED and APPROVED this 13th day of October, 1982.

S/ Cleal Z. Bradford
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

5. The Director of Public Works reported on and discussed with the Council the following:

A. The "Welcome" banner at Center Street-Main Street intersection has received storm damage. Mrs. Marsha Keele, representing the Economic Development Committee, advised that the sign may be repaired or replaced and that the like banner which has been purchased for location on South Main Street should not be put in place until a decision has been made on disposition of the Center Street-Main Street banner.

B. Utah Power and Light Company has verbally contracted to install the poles for the baseball and softball fields at the Blanding Recreation Complex on October 14, 1982.

6. Mayor Bradford discussed with the Council, the value and necessity of the Chamber of Commerce, as the City Public Relations representative, cooperating and coordinating it's programs and efforts with the City Economic Development Task Committee.

7. The City Attorney advised the Council that preparation of opinion relative to contract legality, property and rights-of-way ownership on the current water improvement projects, is pending the receipt of documentation authorizing contractors signatory agents.

8. The Engineer presented to and discussed with the Council, a request by Mr. Merwin Shumway for rezoning the North $\frac{1}{2}$ of Lot 2, Block 3, Blanding Townsite Survey Plat A, from Residential, "R-2" to Commercial "C".

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the foregoing matter be advertised and set for public hearing on November 24, 1982 at 7:00 O'clock P.M.

9. A petition for annexation of land in the area East of the Albert R. Lyman school was presented to the Council by Mr. Alexander A. Fisher, Registered Land Surveyor.

Following discussion on the matter with the City Attorney, the Council declined to take action, citing the need for enactment of an annexation policy prior to further land annexation. The Council indicated they would favor such annexation following adoption of the annexation policy; that area land owners should be given opportunity to include other acreage prior to final action.

10. The Engineer reviewed with the Council the following bid proposals for furnishing sprinkling system equipment for the Blanding Recreation Complex:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Conley Company	\$14,188.19
Mountain States Supply Co.	15,577.58
Turf Equipment Co.	16,324.95
Boyd Martin Co.	18,142.36
Plumbers Supply Co.	18,698.66

Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the City accept the bid proposal of Conley Company in the amount of \$14,188.19.

11. The Engineer reported the following:

A. Three students from College of Eastern Utah-San Juan Center have been hired on a part-time basis in cooperation with the College, the City obligation in the matter being \$1.35 per hour. The students will be used in all phases of work in any City department where their ability may apply.

B. The contractor is behind schedule on the Indian Creek and Johnson Creek water improvement projects. The 36" pipe is in place, the clay material and tunnel liner plate will be on-site October 18, 1982 and a portion of the tunnel excavation is complete.

C. Reservoir No. 3 is being drained by using it as the culinary water supply source, so the outlet valve may be repaired. All mountain pipeline water is being diverted into Reservoir No. 4 which is filled near to capacity.

12. Mrs. Cecelia Tibbitts requested information from the Council relative to rumored parking lot development in the vicinity of 1st South and 6th West Streets. Inasmuch as such matter had later place in the agenda, discussion was deferred to that point.

13. The Recorder presented a Fiscal Year 1982 financial report to the Council for their information.

14. Councilmember Osborn advised the Council that Mr. Greg Christensen has moved from the City, necessitating his replacement on the City Economic Development Task Committee. He recommended that Raymond J. Lyman be appointed as such replacement which was duly given the advise and consent of the Council.

15. Councilmember Johnson reported to the Council that Monticello City has indicated to the State of Utah that it would welcome development of a Regional Prison within or near its corporate boundaries. She advised that Mr. Hardy Redd, area representative to the Utah State legislature, desires to know the general feeling of Blanding residents relative to such a development in San Juan County. The Council declined to take action on the matter pending receipt of further information to be forthcoming from the Utah Board of Corrections.

16. The following letter was read in full to the Council:

September 24, 1982

Carl Osborn
Blanding City Planning Commission
Blanding Utah, 84511

Dear Carl:

The San Juan Foundation for Higher Education has recently acquired the property of Dr. De L. Gibbons for the purpose of establishing a permanent post-secondary education center. The Blanding City Council has already been extremely generous in its support of this effort. However, we find again a need to solicit your assistance.

It is our understanding that there is already a dedicated street which would run North/South along the east boundary of the Gibbons property. Dr. Gibbons has planted lawn in the area to control the weeds. It would be extremely helpful to us if this street could be developed with the intent of using it to serve as a parking area until such time as the City might elect to complete a through street. In addition to providing needed parking this would reduce significantly the use of water for the care of such a large section of lawn.

Secondly, we would like to request sufficient gravel to provide an entrance and parking area behind the house.

Your consideration will be greatly appreciated.

Sincerely,
S/ Craig C. Halls
Secretary, San Juan Foundation

The Council discussed the foregoing request including the possibility of opening 6th West Street and other items pertaining to proposed developments West of the present City Corporate limits. No action was taken.

17. The Council discussed a request of San Juan County Commission Chairman, Calvin F. Black, that the City should give consideration to desired development in the area of the reservoir to be created by construction of Recapture Dam. The Council concluded that a County Task Committee should complete its assignment relative to this matter prior to the City becoming involved.

18. Mayor Bradford reported on and/or gave notice of the following:

A. A public hearing will be conducted at the San Juan High School Auditorium on October 14, 1982 at 7:00 O'clock P.M. relative to the programmed extension to the San Juan County Long Term Care facility.

Oct. 13, 1982

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B. The San Juan Development Board will host a Planning and Goal Setting Seminar for San Juan County at the Edge of the Cedars Museum on October 26, 1982 at 5:00 O'clock P.M..

C. The Utah League of Cities and Towns will conduct a Conference on Private Sector Development of Commercial and Industrial Properties, at the Hotel Utah in Salt Lake City on November 18, 1982 from 9:00 O'clock A.M. to 5:00 O'clock P.M.

D. Proposition No. 5, Beer Ordinance Revision, of the forthcoming General Election is receiving considerable attention from those opponents of such revision who are making conflicting statements relative to taxation. Particularly, allegations relative to school funds loss, are suspect, as there is no tax on beer sales designated specifically for school financing purposes. Further, proponents right to legislate against unwanted influences is a valid and constitutional right as is the majority's right to prevail.

The Council discussed this issue without taking formal action.

Meeting adjourned at

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD OCTOBER
27, 1982 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL.

Present were: Mayor Cleal Bradford
City Councilmembers: Bruce N. Black
Clea S. Johnson
Don E. Smith
City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Director of Public Works: Richard D. Laws
City Attorney: Craig C. Halls

Absent were City Councilmembers: Francis M. Lyman
J. Carl Osborn

Also present: Alexander A. Fisher

1. Prayer was offered by Mayor Bradford.
2. Minutes of City Council meeting held October 13, 1982 were approved.
3. The following letter was read to the Council for their information:

Benton
Investment
Company

October 22, 1982

Blanding City
P. O. Box 1449
Blanding, Utah 84511

Attn: Bill Palmer

Re: Proposed Retail Development on Block 14, Blanding, Utah

Dear Mr. Palmer:

Attached is a "Questionnaire On Proposed Location" which we would very much appreciate you, or the appropriate authority completing. This will greatly assist us in developing proper plans for this property.

I plan on being in Blanding within the next few weeks and would appreciate being able to discuss further, details of our plans with you.

Very truly yours,
S/ Steve Benton

4. Mr. Alexander A. Fisher presented a plat and petition relative to possible annexation of the area containing the Utah State Social Services office building and detention center.

Following a discussion of the petition and a related Annexation Declaration Policy with the City Attorney, motion was made by Councilmember Smith, seconded by Councilmember Black and unanimously carried that the matter be deferred to the next regularly scheduled Council meeting.

5. The Director of Public Works reported on the status of the Blanding Recreation Complex; curb, gutter and sidewalk project; and the dog control problems.

6. The City Attorney discussed with the Council, problems relative to the curb, gutter and sidewalk program, particularly the difficulty in obtaining property owner cooperation.

7. The Engineer discussed with the Council, the proposed Benton Investment Company commercial development in Block 14, Blanding Townsite Survey, Plat A. The Council agreed that, subject to budgetary limitations and street development priority schedule, the cooperative cost-sharing of construction expense should apply.

8. The Recorder advised the Council that the Federal Aviation Administration grant for Airport land purchase is still available, subject to obtaining a current appraisal and providing the City is willing to effect and complete condemnation proceedings as may be required; that consistent with this information, The Appraisers, Orem, Utah,

have been retained to commence the required land appraisal beginning November 1, 1982.

9. Councilmember Johnson reported she had inspected the City Dump Ground; that it had been recently cleaned and was in good condition.

10. Mayor Bradford advised the Council that the 1.5% Transient Room Tax revenue received by San Juan County, is used to promote the tourist industry in San Juan County; that in other areas the tax is 3%; and that the San Juan Economic Development Board has considered requesting the San Juan County Commission to raise such tax to 3% in San Juan County.

Motion was made by Councilmember Johnson, seconded by Councilmember Smith and unanimously carried that the San Juan County Commissioners be advised by letter that the Blanding City Council favors imposing a 3% Transient Room Tax in San Juan County.

11. Mayor Bradford reported that there have been significant natural gas discoveries in wells reasonably close to the community and that the possibility of piping the city for natural gas delivery is becoming more feasible.

12. Mayor Bradford discussed with the Council, the advisability of the City taking a position on Propositions 1, 2, 3, 4, 5 and 6 to be voted on in the General Election on November 2, 1982. No action was taken.

The meeting adjourned at 10:15 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD NOVEMBER
10, 1982 AT 7:00 O'CLOCK P.M. AT THE
CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Director of Public Works: Richard D. Laws

City Attorney: Craig C. Halls

SJ High School Rep: Susan Shumway

Also present was Bruce L. Shumway

1. Minutes of City Council meeting held October 27, 1982 were approved.
2. Susan Shumway, San Juan High School Representative to the City Council, detailed for the Council, her responsibilities.
3. The City Engineer advised the Council that inclement weather and inavailability of equipment are causing delays in construction progress at the Indian Creek Water project.
4. The Recorder reported that a reappraisal of land adjacent to the Blanding Airport, necessary to further airport improvements, is currently being completed by The Appraisers of Orem Utah.
5. The Director of Public Works reported the following:
 - A. The Planning Commission received a letter from Tony Turk, San Juan High School Principal, in opposition to the request of Merwin S. Shumway for re-zoning the North $\frac{1}{2}$ of Lot 2, Block 3, Blanding Townsite Survey, Plat A from Residential "R-2". to Commerical "C".
 - B. Hearing on the above matter has been postponed by Mayor Bradford to December 8, 1982.

Motion was made by Councilmember Lyman, seconded by Councilmember Osborn and unanimously carried that the action of Mayor Bradford in postponing a hearing on rezoning the Northwest corner of Block 3, Blanding Townsite Survey, Plat A, be, and the same is hereby, ratified and confirmed.
 - C. The Planning Commission recommended that Chapter 13-200, Part 13-244 of the Revised Ordinances of the City of Blanding be revised to state as follows: "It Shall be Unlawful for the owner or keeper of any animal to permit such animal to run at large." (Animal substituted for dog)".

The Council concluded that it would be wiser to adopt a separate animal control ordinance.
6. Councilmember Black asked if a definite proposal has been received from the San Juan Water Conservancy District relative to sale of water by the District from the Recapture Reservoir. The Council concluded that no proposal has been received to date and that one should be sought by the City.
7. Councilmember Johnson inquired as to whether the City has received information from the Utah Department of Transportation relative to a request for establishing a pedestrian crosswalk on Main Street midway between Center and 1st South Streets. Following discussion it was concluded that there has been no action on the matter and that Mr. Sterling Davis, UDOT District 4 Engineer should be invited to attend a future council meeting to explain action necessary to establishing such crosswalk.

8. Councilmember Lyman reviewed the October, 1982 Police Department Activity Report for the Council, indicating that burglaries are increasing at an alarming rate.

9. Councilmember Osborn reported and/or discussed with the Council, the following items:

A. Information received by the City relative to new firms establishing business in the City, should be communicated to Harold J. Lyman of the Economic Development Task Committee for the purpose of such businesses being made welcome in the community.

B. The proposal to use City Personnel as answering service for the Chamber of Commerce can best be achieved by locating a Chamber-of-Commerce telephone in the City Office.

The Council agreed that further proposals should be obtained for furnishing a telephone communication system in the City office building.

C. The efforts of the Chamber of Commerce to locate housing could be assisted by the City making available such information as they may have relative to apartment and house vacancies.

D. A sub-committee of the City Economic Development Committee is studying the feasibility of holding an Indian Fair in Blanding on or about the second week in June, 1982.

E. The following letter was read to, and discussed by, the Council:

November 4, 1982

Carl Osborn
Blanding, Utah 84511

Dear Carl:

A couple of meetings ago Ray Lyman brought a paper which covers the entire Southern part of Utah both East and West. Blanding was mentioned in passing in a piece on the Edge of the Cedars and an advertisement by Huck's.

The EDC strongly feels that in the next publication Blanding City should have a half page advertisement. The cost for this is \$747.00.

Ray Lyman has indicated to the EDC that the Chamber of Commerce will be prepared to pay for half of the expense.

I would appreciate it if, at the next City Council meeting, you would ask the Council to approve an expenditure of \$373.50 for this purpose.

The deadline for placing advertising in this magazine is 11/30/82 so we must have some quick action from the Council.

I would certainly appreciate a follow-up on this at our next EDC meeting.

Sincerely,
S/ Vanessa Bradbury

10. Following presentation of a petition for annexation of property adjacent to the Northeast boundary of the City, by Bruce L. Shumway, the Council discussed the necessity for adoption of an annexation policy and requirements therewith.

Motion was made by Councilmember Osborn and seconded by Councilmember Johnson that the City publish notice of a public meeting to be held January 12, 1983 for the purpose of hearing citizen comment and consideration relative to possible adoption of a City Annexation Policy Declaration and the annexation of property lying contiguous to the Northeast boundary of the City.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Black
	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn

Those voting "Nay":	Councilmember Smith
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whereupon Mayor Bradford declared the motion carried.

11. Motion for adoption of the following revised Ordinance No. 13-533, Revised Ordinances of the City of Blanding, was made by Councilmember Black and seconded by Councilmember Osborn:

13-533. CUSTODIAL INTERFERENCE.

- A. A person, whether a parent or other is guilty of custodial interference if, without good cause, he takes, entices, conceals, or detains a child under the age of sixteen from his parent, guardian, or other lawful custodian.
 - 1. Knowing he has no legal right to do so; or
 - 2. With intent to hold the child for a period substantially longer than the visitation or custody period previously awarded by a court of competent jurisdiction.
- B. A person, whether a parent or other, is guilty of custodial interference if, having actual physical custody of a child under the age of sixteen pursuant to a judicial award of any court of competent jurisdiction which grants to another person visitation or custody rights, and without good cause he conceals or detains the child with intent to deprive the other person of his lawful visitation or custody rights.
- C. A person is guilty of custodial interference if without good cause he takes, entices, conceals, or detains an incompetent or other person under the age of sixteen who has been committed by authority of law to the custody of another person or institution, knowing he has no legal right to do so.
- D. Custodial interference is a Class B. misdemeanor.

Voting on the motion being as follows:

Those voting "Aye":	Councilmember Black
	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn
	Councilmember Smith

Those voting "Nay":	None
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whereupon Mayor Bradford declared the motion carried.

12. Mayor Bradford reported to and discussed with the Council, the following:

- A. The request of the San Juan Center, College of Eastern Utah for assistance in gravelling a parking lot at their administrative headquarters on West 2nd South Street, needs to be acted on. Following discussion by the Council, it was agreed that the adjudication of the C & C Construction Company - Holiday Construction Company VS the City of Blanding, et al, must be considered prior to making a contribution to the San Juan Center.

B. Project Bold, a proposed land exchange between the State of Utah and the United States Department of the Interior anticipates that Utah State "School Sections" will be exchanged for federally owned land essential to the growth and development of the State of Utah. Utah State officials have proposed to exchange all state land in South San Juan County for small acreage around the junction of Utah Highways 95 and 262 as well as acreage surrounding the City of Blanding. San Juan County Commissioners have proposed that only those state lands within the boundaries of the Navajo Reservation and the Glen Canyon Recreation Area be exchanged for the federal lands as proposed above.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the Mayor be authorized to represent the City of Blanding in the above matter consistent with the proposals of the San Juan County Commissioners.

C. The Committee appointed by San Juan County for developing a Recreation Facilities Plan for the Recapture Reservoir, has found that the Bureau of Land Management Planner assigned to draft a development plan, has been given other assignments and now has no time for the Recapture project. The Committee has agreed that a professional planner should be hired to prepare a development plan and the San Juan County Commission has agreed to fund $\frac{1}{2}$ the costs. The San Juan Water Conservancy District has been requested to fund the remaining $\frac{1}{2}$ of costs, which they may do, subject to verification of the Bureau of Land Management position and providing bids are obtained from several planning firms on the required work.

D. The results from the recent general election relative to Proposition 5, showed 51.1% for and 48.9% against the proposal. Inasmuch as the matter reflected certain attitudes of the Blanding citizenry relative to the sale of beer in the area, it may be wise to make licensing of beer sales within the City, an issue at the next municipal election.

Motion was made by Councilmember Black, seconded by Councilmember Johnson and unanimously carried that the City prepare a ballot for consideration by the electorate at the next municipal election, the question being whether or not licensing of light beer sales should be authorized by the City.

13. Motion was made by Councilmember Osborn and seconded by Councilmember Black that the City authorize the expenditure of \$350.00 from the City Advertizing and Promotion budget for purchase of an ad in cooperation with the Blanding Chamber of Commerce, in the Southern Utah Vacation Guide relative to scenic features of the area with particular emphasis on the Anasasi culture.

Voting on the motion was as follows:

Those voting "Aye":	Councilmember Black
	Councilmember Johnson
	Councilmember Lyman
	Councilmember Osborn

Those voting "nay": Councilmember Smith
whereupon Mayor Bradford declared the motion carried.

14. Mayor Bradford reported an archeaological school has been established in the area, to be known as the Sipapu Archeaological Field School; that it needs and deserves the support of all.

15. Mayor Bradford reported that the proposed Four Corners Cultural Center is one of four projects receiving consideration by the State of Utah for funding under an endowment program by an as yet anonymous donor.

Meeting adjourned at 9:50 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD NOVEMBER
24, 1982 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Bruce N. Black
Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Director of Public Works: Richard D. Laws

Also present were: Marsha Keele, Bill Osborn, Keele Johnson, Lynnette Johnson, Lynn Lee, Gordon S. Bird, Vanessa Bradbury, Don Sparling, Kay Shumway, Hanson Bayles, Nadine Bayles, Clisbee Lyman, Correy Shumway, Harold Lyman, Rayburn Jack, Carol Walker, Fred Halliday, Jeannette Adakai, Ivan Watkins, Lillian Brown, Worthy Glover, Bruce Shumway, Earl Stevens, Linda Redd, Lynda Shumway, Terry Certonio, Sandy Certonio, Preston Nielson, Donald Jack, Brent Baum, Alice Baum, Calvin Black, Garth Wilson, Gary Warner.

1. Prayer was offered by Philip L. Palmer.
2. Minutes of City Council meeting held November 10, 1982 were approved.
3. The Recorder notified the Council that the annual area meeting with Utah Department of Transportation officials is scheduled February 3, 1983 at 9:00 A.M. in the San Juan County Courthouse.
4. The Engineer reported that the Indian Creek and Johnson Creek water improvement projects have been shut down due to the heavy snow conditions in the project area.
The Council requested that contracts and project status be reviewed at the next council meeting.
5. The Engineer advised the Council that curb, gutter and sidewalk projects have been stalled due to the inability of property owners to obtain contractors desirous of doing the work.
6. The Council reviewed the proposed Postal Department Cluster-Box arrangement for mail delivery.
7. Councilmember Black advised the Council that Holliday Construction Company will not make a contribution of materials and equipment use in the proposed development of a parking lot at the San Juan Center, College of Eastern Utah.
8. The Engineer reported that materials are on hand for making the connection at the Park Reservoir outlet structure to enable pumping of water to the Westwater Reservoir.
9. The Council discussed the "Upper" ditch improvement project status. The Engineer advised that additional excavation will be required at station 2000 and for approximately 300 feet at the east edge of the tunnel.
10. Councilmember Johnson advised that 41 businesses from the previous years business license list are delinquent in payment of business licenses. The Council requested that this matter be given further study and considered at a later meeting.
11. Mayor Bradford advised those present of the Utah State proposal entitled "Project Bold", a program which would exchange scattered sections of land owned by the State of Utah, for land owned by the federal government. The Utah State proposal would exchange all state sections in south San Juan County for like acreage in various parts of the State, with the only remaining state held land in South San Juan County being around the Junction of Utah Highways 95 and 261, and surrounding the City of Blanding.

The San Juan County Commission and the Blanding City Council have gone on record as supporting only the exchange of State land lying within the boundaries of the Navajo Reservation and the Lake Powell Recreation Area, for equal acreage in the Halls Crossing and Utah Highways 95 and 261 junction areas.

12. Mayor Bradford advised that the large number of citizens present were invited to hear reports and discuss the local economic situation. The following reports were given:

A. Mr. Donald Sparling, Plant Superintendant, Energy Fuels Nuclear Corporation, White Mesa Mill, discussed the status and outlook of the mill operation. He stated that the mill will operate at the current rate through December 31, 1982, at which time the operation will be reduced to a more or less, standby operation, pending uranium price increase and the economic availability of uranium ore.

B. Mr. J. Lynn Lee, Director, San Juan Center, College of Eastern Utah reviewed the organizational and financial history of the Center, and discussed the Center's economic impact on the community.

C. Mr. Rayburn Jack, Associate Executive Director, San Juan Health Care Services, reported that bid proposals for the addition of emergency medical facilities to the San Juan Nursing Home will be opened December 13, 1982. The engineers estimate of costs is \$390,000.00 and the required furnishings and equipment will cost an estimated \$200,000.00.

The San Juan Nursing Home operates at a considerable annual deficit. The only way to overcome this problem is to increase the facility size to optimum use of staff and service facilities. The estimated break-even point is 64 beds. In the near future the Health Council will recommend to the San Juan County Commission that the Nursing Home be increased to a 64 bed facility. There are currently enough eligible candidates to occupy the proposed increase in beds.

Mayor Bradford proposed that the area can be well served by the citizenry organizing to promote various economic activities and asked for volunteers to serve therewith; from which the following committees resulted:

SERVICES

J. Carl Osborn, Chairman
Nadine Bayles
Brent Baum
Alice Baum
Donald V. Jack
Rayburn Jack
Keele Johnson
Lynette Johnson
Marsha Keele
Lynda Shumway
Kay Shumway
Garth Wilson

AGRICULTURE

Bruce N. Black, Chairman
Fred E. Halliday
Clisbee N. Lyman
Preston G. Nielson
Kay Shumway
Ivan Watkins

OIL, GAS and MINERALS

Donald Sparling, Chairman
Hanson Bayles
Gordon S. Bird
Calvin F. Black
Harold J. Lyman
Correy Shumway
Gary Warner

TOURISM RETAIL, MANUFACTURING, CONTRACT CONSTRUCTION (Small Business)

Clea S. Johnson, Chairman
Brent Baum
Gordon S. Bird
Bruce N. Black
Calvin F. Black
Vanessa Bradbury
Terry Certonio
Marsha Keele
J. Lynn Lee

Harold J. Lyman
Raymond J. Lyman
J. Carl Osborn
Don E. Smith
Earl Stevens

Mayor Bradford encouraged all committees to actively pursue their accepted assignments and expressed appreciation to all for their attendance

11/24/82 cont.

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and participation in the meeting.

13. The Council again discussed the request for assistance in parking lot development at the San Juan Center facilities and concluded to pursue the matter further on a private contribution basis.

Meeting adjourned at 9:45 P.M.

Francis D. Nielson
Recorder

MINUTES OF A REGULAR MEETING OF THE BLANDING
CITY COUNCIL HELD DECEMBER 8, 1982 AT 7:00
O'CLOCK P.M. IN THE CITY HALL.

Present were: Mayor Cleal Z. Bradford

City Councilmembers: Clea S. Johnson
Francis M. Lyman
J. Carl Osborn
Don E. Smith

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Director of Public Works: R. Dwight Laws

S. J. High School Rep. Susan Shumway

Absent was Councilmember Bruce N. Black

Also present were: Wendell Jones; Georgia McFarland; Merwin Shumway; Paul Foreman, Blanding PTA Representative, William B. Redd; Melvin Black; Melba Black; Lynn Wright; Tony Turk, Principal, San Juan High School; Jennielean Matern; Alfred Matern; Harold J. Lyman; Jay McDaniel; LaRue McDaniel; Neldon Cochran; Alexander Fisher; Afton Fisher; David Eberhard; Jeffrey Black; Stanley H. Martineau; Sharon Smith; Elaine Montella; Eugene Blickenstaff; Francelle Blickenstaff; Roger Williams.

The meeting was begun under the direction of Mayor Pro Tempore, Francis M. Lyman

1. Minutes of City Council meeting held November 24, 1982 were approved.
2. The Council conducted a public hearing on a petition by Mr. Merwin S. Shumway for re-zoning the North $\frac{1}{2}$ of Lots 2 & 3, Blocks 2 & 3, Blanding Townsite Survey, Plat A, inclusive of adjoining City streets.

The following letters were read into the record:

December 8, 1982

Blanding City Council
Blanding Zoning Committee
Philip Palmer

This is to express my opposition to the proposed changes in the zoning of my property on 2nd North 260 East.

I want to keep a Residential Zone here.

Sincerely,
George H. Bradford
Jessie Mae Bradford

December 5

We will be out of town on Dec. 8 so we cannot attend the meeting, but we don't want our block commercialized.

Thank you.
Ivan & Fern Watkins

Mr. Wendell Jones presented a Power of Attorney, authorizing his representing Patrick Jones in the petitioned rezoning matter.

The following individuals expressed opposition to the proposed re-zoning:

Wendell Jones
Melvin Black
Melba Black
Jennielean Matern
Tony Turk, Principal, San Juan High School
Paul Foreman, Representative, Blanding PTA
LaRue McDaniel
Roger Williams, Counselor, Truancy Officer, San Juan School District

Mayor Bradford entered the meeting following Melba Black's expression.

The Recorder advised that prior to re-zoning the subject property from Commercial (c) to Residential (R-2), Mr. Shumway had obtained a permit for a commercial development thereon, which he assumed would remain in force with-

out further action on his part.

Mr. Merwin Shumway advised that his proposed development would not be adverse to or create a problem situation for the area schools.

Councilmember Johnson advised that during her tenure as member of the Planning Commission it was agreed that Mr. Shumway's permit for commercial development on the subject property, should remain in force.

Mayor Bradford asked Mr. Shumway if the property would remain in its current status if the requested re-zoning is not effected. Mr. Shumway advised that he has no other plans or alternatives.

Councilmember Lyman expressed appreciation to all citizens for attendance at and participation in the hearing process and advised that the Council will make a decision on the matter in a later meeting.

Mayor Bradford conducted the balance of the meeting.

3. The Council was notified of a legislative workshop scheduled December 10, 1982, 7:30 A.M. in Salt Lake City.

4. The Council discussed the possible purchasing of land adjoining the Northeast portion of the City Office property, from Blanding Mercantile Company, the purpose for which would be to exchange the same with Parley Redd Mercantile for the old San Juan State Bank property.

Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City purchase the first hereafter following described tract of land from Blanding Mercantile Company at a price of \$15,000.00, which shall be deeded by said Company to Parley Redd Mercantile in consideration of a deed to the City of Blanding for the second hereafter following described tract of land:

Beginning 143 feet West and 100 feet North from the Southeast Corner of Block 21, Blanding Townsite Survey, Plat A and running thence North 85 feet; thence West 34 feet; thence South 85 feet, thence East 34 feet to the point of beginning.

Beginning at a point 143 West of the Southeast Corner of Block 21, Blanding Townsite Survey, Plat A and running thence North 100 feet; thence West 37 feet; thence South 100 feet; thence East 37 Feet to the point of beginning.

5. Councilmember Johnson advised that Mr. William B. Redd and Mr. Jeffrey Black are present at her invitation relative to City business licensing matters.

William B. Redd expressed the following:

A. Business licensing is for regulatory purposes and the regulation process is very nearly the same for all businesses, therefore it is inequitable to assess larger businesses a higher regulatory fee.

B. The use of licensing funds to promote and advertise the community is tantamount to enforced business advertising; the business should make the decision as to how and how much he should advertise.

Jeffrey Black made the following statements and allegations:

A. Building and construction contractors are licensed and regulated by the State of Utah. Licensing by the City seems to be a duplication.

B. The City allows and contracts with unlicensed construction contractors.

The Director of Public Works reviewed for the Council, the study of licensing procedures and assessments within the State of Utah which resulted in the current City licensing regulations and assessments.

The Council concluded that the City licensing ordinance should be studied further and possible revisions effected.

6. Following notification of the receipt of a grant award from the Utah Community Impact Board in the amount of \$17,000.00 for Fire Station construction purposes, motion was made by Councilmember Smith, seconded by Councilmember Johnson and unanimously carried that the City advertise for bids for construction of a fire station in accordance with plans and specifications for the same as available in the office of the City Engineer.
7. The Engineer advised that inaccessibility of the Water Improvements, Phase I, Johnson Creek/Indian Creek project has necessitated shut down without letter of request from the contractor for such, and that at this date no request for extension of time to complete construction has been received by either the City or its consultants.
8. The Recorder advised the Council that the payment and performance bonding agent on the Water Improvements, Phase I, Johnson Creek/Indian Creek project has requested that no further payments be issued to the project contractor, Albrecht Construction Company, except as approved by such bonding agent.
9. Following review of the land appraisals as completed by The Appraisers, Orem, Utah, on land proposed for Blanding Airport extensions and improvements, motion was made by Councilmember Smith, seconded by Councilmember Osborn and unanimously carried that the City purchase 2.69 acres, 3.873 acres, 18.168 acres, 21.644 acres and 12.97 acres Clear Zone Easement the amounts of \$10,000.00, \$16,500.00, \$21,800.00 and \$23,000.00 from Lyman D. Nielson, J. Rex Nielson, Clisbee N. Lyman and the Ute Mountain Ute Tribe, respectively, for necessary extensions and improvements to the Blanding Municipal Airport; that subject to availability of the same, land may be purchased from Oris G. Black for exchange to the Ute Mountain Ute Tribe in lieu of the foregoing cash purchase, excepting that any land purchased for exchange may not exceed in price the \$23,000.00 authorized for purchase of Ute Mountain Ute Tribe land.
10. Councilmember Osborn advised the Council that Herb Clah has resigned as a member of the Planning Commission and recommended the appointment of Steven Bronson to fill the vacancy created by such resignation. The Council gave its advise and consent to Bronson appointment.
11. Councilmember Osborn reported that the City Economic Development Task Committee has been renamed the Blanding Area Development Committee, which action was approved by the Council.
12. Councilmember Lyman presented a request by the Chief of Police that Richard D. Laws and Randy Scott be approved as members of the Blanding Auxiliary Police Reserve Officers. Motion was made by Councilman Lyman, seconded by Councilmember Smith and unanimously carried that such individuals be approved in accordance with the foregoing request.
13. Mayor Bradford notified and/or discussed with the Council, the following:
 - A. The Southeastern Utah Association of Governments will conduct a Community Development Block Grant Program seminar in Monticello on December 9, 1982 at 6:30 O'Clock, P.M.
 - B. The San Juan County Commissioners have recommended development of the San Juan Nursing Home into an 84-bed facility. Motion was made by Councilmember Smith, seconded by Councilmember Lyman and unanimously carried that the City support San Juan County applications for Community Development Block Grant funds in connection with the proposed expansion of the San Juan Nursing Home facilities.
 - C. Activities of the Blanding Area Development Task Committee and the Blanding Promotion and Advertising, should be coordinated to secure maximum return for City funds expended.
 - D. The Council should give consideration to allocating business licensing receipts to the City Advertising and Promotion budget.

Meeting adjourned at 10:10 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL
HELD DECEMBER 22, 1982
AT 7:00 O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor Cleal Z. Bradford

City Councilmembers:	Bruce N. Black
	J. Carl Osborn
	Clea S. Johnson
	Francis M. Lyman
Administrator:	Francis D. Nielson
Deputy Recorder:	Karalee Austin
City Engineer:	Philip L. Palmer
Director of Public Works:	R. Dwight Laws

Absent was Councilmember Don E. Smith

Also present were: Lynn Patterson; Merlin Grover; Erik Grover; Jana Lyman; Bob Day, Assistant Forest Ranger, Monticello District Manti-LaSal National Forest; Donald Guymon.

1. Prayer was offered by Clea Johnson.
2. Minutes of City Council meeting held December 8, 1982 were approved.
3. Karalee Austin was administered the oath of office as Deputy Recorder by the Recorder which action received the advise and consent of the City Council.
4. The following letter was read in full to the Council:

BUREAU OF LAND MANAGEMENT
Moab District
San Juan Resource Area
P. O. Box 7
Monticello, Utah 84535

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Certified Mail No.: P270 938 961

December 17, 1982

DECISION

City of Blanding	:	Recreation and Public Purposes
P. O. Box 68	:	Patent U-0115631
Blanding, Utah 84511	:	

Amended Plan of Development Approved

By letter received December 16, 1982, the City of Blanding has requested deletion of item 6 in their original plan of development (filed June 11, 1963). Item 6 indicates that recreational developments, i. e. picnicking, camping, and boating facilities would be established. The facilities have not been developed because State of Utah regulations would not allow these used in conjunction with a culinary water source.

Therefore, the City of Blanding's request for deletion of item 6 of their plan of development is hereby approved.

Edward R. Scherick
Area Manager

5. Mr. Lynn Patterson discussed with the Council the proposed U.S. Forest Service Land Use Plan. Mr. Bob Day, assistant Forest Ranger, Monticello District Manti-LaSal National Forest, explained the National Forest Area Land Use Plan Proposal.

6. The Engineer reported receipt of the following bid proposals for construction of Pressure Zone Stations in the City:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
1. E.A. Black Plumbing & Heating	\$47,300.00
2. Smith Plumbing & Heating	\$49,800.00
3. Niels Fugal Sons Company	\$59,500.00

The Council agreed to the award of bid to E.A. Black Plumbing & Heating in the above matter subject to the Engineer advising them by letter that City License, proper Performance & Payment Bonds, necessity for adherence to construction time limitations and that penalty provisions exceeding the allowed construction time will be enforced.

7. Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the Recorder be authorized to invest City funds in the amount of \$707,000 in General Mortgage Notes with Merrill, Lynch, Pierce, Fenner and Smith at an interest rate of 12.5%.

8. The Engineer reviewed with the Council a Site Plan proposed by Benton Investment Company on Block 14, Blanding Townsite Survey, Plat A.

9. The Engineer notified the Council that bid proposals for construction of wastewater treatment facilities and a fire station will be opened January 19, 1983 at 4:00 P.M. at the City Hall.

10. Mayor Bradford advised the Council that the Utah State Tax Commission has been erroneously making payments to various local option sales tax recipients in San Juan County which will involve a redistribution of sales tax funds. City representatives from Blanding and Monticello as well as the San Juan County Commission will meet in the near future to work out the terms under which such redistribution of funds may be completed.

11. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City purchase the following tract of land for the price of \$15,000.00:

Beginning at a point 143 feet West and 100 feet North of the SE Corner of Block 21, BLANDING TOWNSITE SURVEY, and running thence West 34 feet; North 85 feet; East 34 feet; South 85 feet to the place of beginning.

Excepting therefrom all easements or right-of-ways established or of record or evident by inspection.

12. Mayor Bradford advised the Council that the City of Blanding has agreed with San Juan County that the County may use the Community Development Block Grant funds which may be available to the San Juan County area for funding the proposed extension to the San Juan County Long Term Care Facility. However, San Juan County has indicated they may not take advantage of the Community Block Grant Program in this matter and therefore, the City of Blanding should be prepared to submit an application for such funds to be used for the following purposes:

1. Starvation Reservoir Engineering
2. Renovation of the former bank building at 38 West 100 South

13. Motion was made by Councilmember Osborn, seconded by Councilmember Johnson and unanimously carried that the City make application to the Utah State Department of Economical Development for community development block grant funds and to the Utah Community Impact Board for energy impact funds for the following respective purposes and amounts:

1. From Utah State Department of Economical Development:
 - A. Starvation Reservoir Engineering -- \$60,000
 - B. Bank Building Renovation -- \$20,000
2. From Community Impact Board:
 - A. Starvation Reservoir -- \$150,000

14. Following discussion of the appropriation of business license revenue receipts for the purpose of City advertizing and promotion, motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that the ensuing years' budget reflect that approximately the same amount of funds as collected from City business licenses be appropriated to the advertizing and promotion function.

15. The Council requested a letter be written to the U.S. Forest Service indicating that the City of Blanding favors the multiple use concept on national forest land in the area excepting on established water sheds. The Council further requested the Forest Service be advised that they desire consideration of forest campground facilities development in an area closer and more accessible to residents of the City.

16. Mayor Bradford discussed with the Council a possibility of Blanding City furnishing the municipal representative to the Southeastern Utah Association of Governments for San Juan County. The Council was agreeable to such an arrangement subject to Mayor Bradford accepting the position if the same becomes available.

17. Motion was made by Councilmember Osborn, seconded by Councilmember Black and unanimously carried that the City of Blanding make application to the U.S. Department of the Interior under the Recreation and Public Purposes Act for the following described land situated in San Juan County:

NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 9; and E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 4, Township 37 South, Range 22 East, Salt Lake Base and Meridian.

Meeting adjourned at 10:35 P.M.

Karalee Austin
Deputy Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JANUARY 14, 1981 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder Francis D. Nielson

City Engineer Philip L. Palmer

Assistant Administrator: Richard D. Laws

City Attorney: Grant A. Hurst

Absent: Councilman Cleal Z. Bradford

Also Present were: Mrs. Bonnie Purcell; Mrs. Effie Brockmeier; Mrs. Patsy Shumway;
Mrs. Elaine Montella; Mr. Frank A. Montella, Sr.; Mr. Eugene
Shumway; Mr. Yves Gallet; Mr. Stan Howell; Mr. Wayne Scott;
Mrs. Marsha Keele; Mrs. Lynne Shumway.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held December 10, 1980 were approved.
3. Mrs. Bonnie Purcell expressed concern to the Council over a proposal to develop an apartment complex, designed to house the elderly and handicapped, on property owned by the City of Blanding adjoining the North boundary of the San Juan Nursing Home. Mrs. Purcell requested answers to the following questions:
 - A. What is the city's responsibility for furnishing parks and recreation facilities?
 - B. Why is a proposed park being replaced by another use?
 - C. Why is a private interest being given consideration to replace a public interest?
 - D. Will a change of zoning status be required prior to utilization of the land for the proposed purpose?
 - E. Have there been sufficient studies completed justifying the need for the proposed facilities?
 - F. Is there a conflict of interest existent in the circumstances where an official of the City is involved in a land exchange with the City?

Councilman Lyman speaking for the Council answered part of the foregoing questions as follows:

- A. The City has and recognizes a responsibility for the development of park and recreation facilities for the citizenry. If the area in question is not developed as a park facility, effort will be made to obtain a like area for such a development.
- B. Consideration for change of use of the land in question is based in the stated need for supplemental housing in connection with the nursing home operation, to accommodate individuals requiring some services but not full time nursing home care. Such a program would reduce costs to some patients currently in the nursing home, free beds for those requiring complete care and increase staff efficiency. The proposed site meets the proximity of service to need requirement.

- C. Capital for construction costs is more readily available for private rather than public ventures of this nature.
- D. The area is currently zoned Residential, R-1 and would have to follow due process to be re-zoned as Residential, R-2 where this type development would be permitted.
- E. The City knows of no studies completed relative to the need of the proposed facilities and has relied solely on the statements of the San Juan Nursing Home Administrator regarding such needs.

With respect to the matter of conflict of interest the City Attorney advised that the Statutes of the State of Utah prohibit financial transactions between the City and its elected officials to the extent that any offenses against such statutes are punishable as a misdemeanor and any involved officials being removed from office.

Additional discussions were had on the matter with several individuals present expressing the opinion that parks, playgrounds and various recreation facilities should be provided by the City.

Councilmen Black and Hunt indicated that a three-party land exchange might be sought wherein the City would obtain possible park and playground land in exchange for the City's approximately 1.6 acres of land lying north of the San Juan Nursing Home, which might possibly then be exchanged to parties desiring to develop the before stated elderly and handicapped housing.

Mayor Gibbons commended those in attendance for their concern in the matter. No official action was taken.

4. At the request of Mayor Gibbons the Engineer gave the following status report relative to current City projects:

WATER TREATMENT PLANT IMPROVEMENTS:

Bids were opened on the first phase of the project, the furnishing of filter material, on December 31, 1980 and a contract awarded to Hall Construction Company at a price of \$11,088.75 F.O.B. suppliers station with the City of Blanding to freight same to the site.

Bids will be opened at 7:00 o'clock P.M., February 11, 1981 on the balance of the water treatment plant improvement project.

LARGE DIAMETER WATER WELL:

Plans and specifications have been approved by the Utah Water Resources Board and State Engineer offices. Advertisement for bids awaits only Council authorization.

Motion was made by Councilwoman McDaniel, seconded by Councilman Hunt and unanimously carried that the City advertise for bids for drilling a large diameter, deep water well, in accordance with plans and specifications as prepared by the City Engineer and approved by the required State agencies, as soon as necessary documents can be prepared.

5. Following a discussion with Mr. Yves Gallet relative to the necessary repairs of a backhoe being purchased from him under a rental purchase agreement, the Council agreed that, subject to Mr. Gallet assuming 50% of the repair costs, payments should be brought to a current basis, effective Monday, January 19, 1981.

6. The Council discussed and discussed and discussed with Mr. Eugene Shumway the approved exchange of water rights as recorded in item 8 of the minutes of City Council meeting held December 10, 1980. Mr. Shumway and the Recorder are to work out details of the exchange and the same shall then be formalized in agreement to be prepared by the City Attorney.

7. Mayor Gibbons advised that the changes in administration on the national level warrants acceleration of the city's efforts to obtain utilities improvements capital from the Farmers Home Administration and that the City's consultants, Horrocks Engineers be requested to expedite the matter.

9. Councilman Black discussed with the Council the necessity for conservation of water in the current drought situation and that further sales from the reservoir for drilling purposes is unwise. The Council agreed that further bulk water sales shall be discontinued.

10. Councilwoman McDaniel reported receipt of a proposal from Sanford Landscaping for installation of an automatic sprinkling system in the proposed north park at a cost of \$2,602.54.

11. The Engineer advised that the Planning Commission has recommended the re-zoning of the West $\frac{1}{2}$ of Lot 4, Block 45, Blanding Townsite Survey, Plat A, from Residential, R-2 to Commercial; and that a public hearing on the matter is scheduled for March 11, 1981.

12. The Engineer reported that excavation is currently underway at the head of the Johnson Creek Pipeline to determine if sufficient water is by-passing the inlet works to warrant embankment across the canyon to assure that all available water enters the pipeline. The U. S. Forest Service has been contacted in the matter and necessary project authorization is being processed.

Meeting adjourned at 12:20 A.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JANUARY 28, 1981 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Absent:

City Councilmember: Francis M. Lyman

Also Present were: Mr. Kimball Young, Boettcher and Company; Mrs. Myrna Kimmerle; Mr. Stan Howell; Mrs. Patsy Shumway; Mr. Truitt Purcell; Mrs. Bonnie Purcell; Mr. Paul Day; Mrs. Dena Day; Mrs. Kathy Redd; Mr. Greg Christensen; Mrs. Marsha Keele; Mr. David L. Guymon; Mrs. Freeda Guymon; Miss Sharon Smith, Miss DeAnn Forbes.

1. Prayer was offered by Council member McDaniel.
2. Minutes of January 14, 1981 were approved.
3. The Council discussed with Mr. Kimball Young of Boettcher and Company, terms and conditions of an equipment lease agreement wherein the City of Blanding would obtain a waste collection unit with First Western National Bank of Moab, Utah as Lessor.
Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1981-1

A RESOLUTION APPROVING THE FORM OF THE EQUIPMENT LEASE AGREEMENT WITH FIRST WESTERN NATIONAL BANK, MOAB, UTAH, FINDING THAT IT IS IN THE BEST INTERESTS OF THE MUNICIPALITY TO ENTER INTO SAID AGREEMENT, AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF.

WHEREAS, the City Council of Blanding City has determined that a true and very real need exists for the leasing of the equipment described in the Equipment Lease Agreement presented to this meeting; and

WHEREAS, the City Council has reviewed the form of the Equipment Lease Agreement and has found the terms and conditions thereof acceptable to the Municipality; and

WHEREAS, the City Council has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the leasing of such equipment under the Equipment Lease Agreement.

BE IT RESOLVED by the City Council of Blanding City as follows:

Section 1. The terms of said Equipment Lease Agreement are in the best interests of Municipality for the leasing of the equipment described therein.

Section 2. The Mayor and City Recorder are hereby authorized to execute and deliver the Equipment Lease Agreement and any related documents necessary to the consummation of the transactions contemplated by the Equipment Lease Agreement for and on behalf of the Municipality.

Section 3. The officers of the Municipality are hereby authorized and directed to fulfill all obligations under the terms of the Equipment Lease Agreement.

-2-

ADOPTED and APPROVED this 28th day of January, 1981

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

(SEAL)

4. Mayor Gibbons discussed with the Council the inequity of State Sales Tax apportionment, various proposed bills before the state legislature and the possibility of exchanging the sewer lagoon effluent for the \$80,000.00 Energy Fuels Nuclear, Inc. has allocated to the City for use in defraying costs of large diameter, deep water well.

5. Councilman Black suggested to the Council that the substation water well should be placed in useable condition with a coin device attachment for servicing stockwatering, drilling water and other uses.

6. Councilman Bradford advised that he had attended a meeting with San Juan County Commissioners wherein the commission reiterated its stand relative to the cooperative street improvement program; that they will not participate further until the City formulates what, in their judgement, is a fair and equitable cost-sharing plan.

Councilman Bradford also reported that the County will prepare and mail copies of their recreation programs policy, to the various pertinent entities.

7. Councilman Bradford presented to the Council the following City Promotion Budget:

CITY PROMOTION BUDGET
(FY 1981)

<u>Date</u>	<u>Project</u>	<u>Chairman</u>	<u>Cost</u>
June 8-13	Jeep Week	Raymond Lyman	\$ 500.00
July 4	Frontier Days	Howard Randall	1500.00
Sept. 5	Golden Circle Marathon	Raymond Lyman	200.00
Nov-Dec	Christmas Shop-at-Home	Kirby Black	200.00
---Unscheduled Events---		Howard Randall	
		Marsha Keele	100.00
		Total	<u>\$2500.00</u>

Motion was made by Councilman Bradford, seconded by Councilman Black and unanimously carried that the foregoing City Promotion Budget be approved.

8. The Engineer reported that limited excavation above the Johnson Creek Pipeline inlet has indicated an adequate gravel bed for use by San Juan County in preparation of chips required for the mountain road project, and also showed that there may be water passing the inlet structure. He stated that U. S. Forest Service personnel are currently evaluating the city's request to do further excavation in the area and perhaps construct additional diversion works; that it may require 30 days for the Forest Service to complete the permit process.

9. Councilwoman McDaniel presented the following letter to the Council:

January 23, 1981

Blanding City Council
Blanding, Utah 84511

Dear Council Members:

This letter is to inform you of the Lions Club's feelings about the City-owned property directly north of the Nursing Home. As you know, we have been planning on putting in a sprinkler system on this property and planting the area into lawn

for a small Park for the local neighborhood.

In the beginning, we contacted the City and received approval to clear the area. We asked Jerry Holliday to use one of his Cats to clear it; then C. & C. Construction brought in a road grader and leveled it to its present condition. We Club Members hauled some trash and rocks off the property.

Bud Nielson has worked with us to help design a sprinkler system, and about the time we were to order it, there was discussion about an addition to the Nursing Home, which would use this property; therefore, we decided to wait until a decision was made on this before going ahead.

After this delay and we decided to go ahead again, the City Council approved approximately \$2,000.00 to help with the water system. Nothing has been ordered, however, as we were told that the City does not have the money.

After further discussion with LaRue McDaniel, we felt that an automated sprinkler system would save labor costs in the long run, and provide a more desirable system. We asked for and received a bid from Sanford Landscaping for approximately \$2,600.00, which includes a timer, etc., and meets with our approval.

Now there is discussion about using this property for a Housing Project. Our feelings are that, first--this property has been committed for a Park, and second--if you choose to use this property for Housing, then the City should obtain similar property where a Park could be located, and that Jerry Holliday and C & C Construction be reimbursed for the use of their equipment.

Very truly yours,
BLANDING LIONS CLUB

10. Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the Mayor be, and he is hereby, authorized to execute the contract documents on the first phase of the water treatment plant improvements, consisting of furnishing the filter material at a cost of \$11,088.75.

11. Mayor Gibbons presented a petition favoring the development of an elderly and handicapped housing project on property north of the San Juan Nursing Home, containing 26 uncertified signatures.

12. Mrs. Myrna Kimmerle discussed with the Council, the need for housing units in connection with the San Juan Nursing Home operation as well as the conditions under which some of the elderly are existing. She earnestly pleaded with the Council to support programs for alleviating the needs of these citizens.

13. Councilman Bradford stated that no one is opposed to a housing project in connection with the nursing home operation and proposed that the southeast area of the nursing home property be utilized for this purpose.

14. Mr. David L. Guymon, as spokesman for the local Senior Citizens group, expressed to the Council, the desire of such group that the proposed elderly-handicapped housing project be developed as planned.

15. Mrs. Patsy Shumway presented four petitions containing a total of 45 uncertified signatures, 7 of which were duplicates and 8 of which were signed either as husband and wife or as Mr. & Mrs; said petitions stating opposition to the rezoning, sale or use other than as a park facility of land owned by the City lying adjacent to the north boundary of the San Juan Nursing Home.

Mrs. Shumway, speaking for the northwest area of the community, reiterated their desire that the above described property be utilized for its earlier intent, the development of a small park.

16. The Council discussed the necessity for and promotion of water conservation during the existing drought conditions.

17. Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the Recorder draft a letter to the Board of Commissioners of San Juan County, with a copy to be mailed to Farmers Home Administration, indicating approval of use of San Juan Nursing Home land for development of elderly-handicapped housing, and further stating general approval of such a project in the nursing home area.

Meeting adjourned at 11:20 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD FEBRUARY
11, 1981 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: R. Dwight Laws

Also present were: Mr. Grant L. Bayles; Mrs. Josephine H. Bayles; Mrs. Rose Keith;
Mrs. Glennis Mark; Mr. John R. Seely; Mr. Arvid K. Black; Mr. Lynn A. Wright;
Mrs. Marsha Keele

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held January 28, 1981 were approved.
3. The following letter was read in full to the Council:

City of Blanding
February 10, 1981

The Honorable Mayor and City Council
City of Blanding

Dear Sirs:

At their regular meeting on January 7, 1981, the Planning Commission of the City of Blanding voted unanimously to recommend to the City Council the following rezoning:

To amend the official Zoning Map of the City of Blanding by changing the zoning classification of the following described property from Residential Zone "R-2" to Commercial Zone "C":

West one-half ($\frac{1}{2}$) of Lot 4, Block 45, Blanding Townsite Survey, Plat A. Also,
The West fifty (50) feet of Lot 1, Block 45, Blanding Townsite Survey, Plat A.

Respectfully,
S/ Philip L. Palmer
Blanding Official

Opposition to the zoning reclassification of portions of Block 45 expressed by adjacent property owners resulted in the Council postponing action on the matter to February 25, 1981.

4. Proposals for improvements to the City Water Treatment Plant were reviewed by the Council. Motion was made by Councilman Bradford, seconded by Councilman Hunt and unanimously carried that subject to the approving opinion of the City Attorney, a contract be awarded to LaMar D Construction Company for improvements to the Blanding Water Treatment plant consistent with said company's bid proposal for the same, the base bid being \$158,000.00, Alternates No. 1 and 2 being \$17,470.00 and \$8,389.00, respectively.
5. Mayor Gibbons reported that Arrowhead Enterprises plans start of the Blanding Cable T-V project by April 1, 1980 and has offered the City an annual utility pole use fee of \$3.00 each.

6. Mayor Gibbons suggested the Council members consider proposed Sales Tax formula changes currently before the State legislature and that our representative, L. Hardy Redd, be urged to support those changes favorable to the City.

7. Councilman Black discussed with the Council the possibility of procuring the Kenneth P. McDonald 110 GPM water filing in lower Westwater Canyon. No action was taken on this matter.

8. Councilman Bradford advised the Council of his discussions with Mr. Ivan Watkins relative to the proposed Recapture Dam project and possible participation in the same by Blanding Irrigation Company and the City.

The Recorder and Engineer reported on an earlier meeting with the City's consulting engineers and a member of the Utah Water Resources Board engineering staff regarding the Recapture Project. Studies completed by our consultants reducing various water resource and system improvements to cost per acre foot of water, have shown participation in the Recapture project to be most cost effective. Accordingly, we had proposed the possibility of transferring the funds allocated for a deep, large diameter water well to the Recapture project for purchase of water therefrom for the lifetime of that facility. The proposal was apparently acceptable to both our consultants and the Utah Water Resources Board representative.

Following considerable discussion of the matter during which the resource risk and negative cost effectiveness of deep well operation were addressed, motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that subject to the City Attorneys approving opinion relative to legality of the same, as well as approval of loan funds transfer by the Utah Water Resources Board, the bid opening on the proposal for drilling a large diameter, deep water well be postponed and funds allocated to the same be offered for transfer to the proposed Recapture Dam project in payment for a future water guarantee and ownership in said project.

9. Councilman Bradford reported his attendance at a meeting with representatives of the Southeastern Utah Association of Governments, Monticello and San Juan County officials wherein information was given relative to Federal and State resource assistance availability to governmental subdivisions.

10. Councilman Bradford detailed the following City Master Plan preparation and completion schedule for the Council:

Task Committee information to be in the hands of the Building Official by February 25, 1981.

Planning Commission review and prepare information for Council presentation by March 5, 1981.

Information presented to Council for review on March 11, 1981.

Public meeting on March 18, 1981.

Final adoption of plan by City Council on March 25, 1981.

The completed document is to be sectionalized and looseleaf bound for easy change and update.

11. The following letter was read to the Council by Councilman Lyman:

City of Blanding
Police Department
February 10, 1981

Francis M. Lyman
Public Safety Representative
Blanding City Council

Dear Bishop Lyman:

As you know, since Notah Tahy's knee operation and the death of Al Blankenship, there have been no Reserve Officers working with the Police Department. Reserve Officers are very necessary if the Police Department is to function as desired. We are in the process of trying to build a good strong reserve program. Your assistance is requested in having the following individuals approved as Category II (ride-along) Reserve Officers. These officers work only under the direct supervision of a regular officer and are not compensated by the City.

-3-

Stanley Nez
Sharon Smith
Tom Dyer
Mike Bradford
Ron Hartman
Don Smith
Cliff Kerbs

Further request that Deris Jones be approved as a Category I (regular) part-time officer to work without direct supervision and be compensated at the presently established rate. Derris is a fully qualified, state certified, Category I, Police Officer.

Sgt. Austin will leave on the 16th of February for the academy and we will be without his help for ten (10) weeks.

Thank you for your assistance.

Sincerely,
S/ J. B. Wright
Chief of Police

Motion was made by Councilman Lyman and seconded by Councilman Hunt that the City approve utilization of the individuals requested in the foregoing letter as Police Department reserves:

Voting on the motion was as follows:

Those voting "aye":	Councilman Black Councilman Bradford Councilman Hunt Councilman Lyman
Those voting "nay":	None
Those abstaining:	Councilwoman McDaniel

Whereupon Mayor Gibbons declared the motion carried.

12. Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried that Council meeting room be made available for civic and public organization use, subject only to prior City meeting use schedule.

13. The Engineer advised the Council that the Community Impact Board will consider the Blanding City application for water distribution system improvement grant funds on Thursday, February 19, 1981 and that the City should have representation present.

14. Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried authorizing execution of the following letter of agreement:

City of Blanding
February 10, 1981

Eugene and Kenneth Shumway
Blanding, Utah 84511

Dear Sirs:

This letter sets forth in writing several items of agreement that have been discussed only verbally. These items have to do with the transfer of 50 acres of the "Starvation" property to the City of Blanding for construction of a reservoir.

1 - Fence

The site will be fenced after the reservoir is constructed. Sellers will provide materials for the fence. Buyer will install the fence.

2 - Grazing

Sellers will be permitted to graze the site until the reservoir is constructed and the fence in place. Farming operation will be allowed to continue until construction is begun or earlier by agreement.

3 - Access Right-of-way

Seller will provide a 50 foot wide access right-of-way to the buyer from the asphalted high way to a point on the 50 acre site that will align with the road anticipated on the crest of the dam. Said right-of-way is not included in the 50 acre total but is included in the purchase price.

Said right-of-way is provided for City employees or the City's agent to operate and maintain the facility.

Sellers will be permitted to use road across the dam as access to their property beyond.

4 - Future Pipeline Easement

Separate negotiations and agreements will have to be entered into for easements required to extend a pipeline from the outlet of the reservoir to the treatment plant.

SIGNED

Buyer
City of Blanding

DeLamar Gibbons, M.D., Mayor

Sellers

Eugene Shumway
Kathryn Shumway
Kenneth D. Shumway
Chloe Ann Shumway

15. The Assistant Administrator discussed with the Council the difficulties of obtaining a commitment from the County, San Juan School District and City relative to a cooperative recreation program and the frustration of trying to cope with the indecision and lack of direction.

The Council discussed the possibility of transferring BOR committed funds from the Alexander Park project to a proposed cooperative recreation complex in the area of the Zenos Black Career Education Center. It was agreed that the BOR should be requested to consider such a transfer.

Meeting adjourned at 11:20 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD FEBRUARY
25, 1981 AT 8:00 O'CLOCK P.M. IN
THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Absent was Councilman Jon L. Hunt

Also present were: Mr. Wayne Ross, Intermountain Health Care Representative;
Mr. James Randolph, President, College of Eastern Utah; Mr. Wm Van Potter; Mr.
Kay Shumway; Mr. Norman F. Nielson; Mr. Don Ellis Smith; Mr. John R. Seely;
Mrs. Marsha Keele; Mr. Stan Howell.

1. Prayer was offered by the Assistant Administrator.
2. Minutes of City Council meeting held February 11, 1981 were approved.
3. Mr. James Randolph, President, College of Eastern Utah, discussed with the Council the prospects for continued operation of the San Juan Center, detailed their funding arrangements and offered services of the Center to the City as they may be needed and utilized.
4. Mr. Wayne Ross, Intermountain Health Care Representative, discussed his firms program for operation of health facilities in San Juan County. He advised that IHC is opposed to utilization of land inside the present San Juan Nursing Home boundary for location of proposed elderly-handicapped housing units; that such land should be reserved for nursing home expansion, proposed health clinic facilities and perhaps, in due time, a hospital.
5. Councilman Bradford advised the Council that the petition to re-zone the West $\frac{1}{2}$ of Lot 4 and the West 50 feet of Lot 1, Block 45, Blanding Townsite Survey, Plat A, has been withdrawn.
6. Mayor Gibbons advised the Council of a meeting of the Clean Water Committee of the Southeastern Utah Association of Governments to be held in Monticello on February 26, 1981, at 7:30 P.M. The Administrator and Assistant agreed to represent the Mayor at such meeting.
7. Mayor Gibbons discussed with the Council, the failure of the Utah State Legislature to enact legislation for distributing Sales Taxes on a more equitable formula based on population rather than point of collection.
8. Mayor Gibbons again discussed with the Council, the need for development of elderly-handicapped housing in the area of the San Juan Nursing Home. Inasmuch as there appeared to be insufficient support for the required land exchange and zoning reclassification, the matter was dropped.
9. At the request of Councilman Black, Mr. Norman F. Nielson, Chairman, San Juan County Water Conservancy District Board, advised the Council of the following relative to the proposed Recapture Dam project:
 1. Minerals claim releases are currently being obtained.
 2. Responsible agencies have advised that the required archeological investigation may proceed during construction.

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3. Necessary land acquisition has been arranged.
4. The Utah Board of Water Resources and Utah Department of Highways anticipate ground breaking on the project to take place June 1, 1981.
5. Necessary agreements with the Blanding Irrigation Company are nearing completion.

The Council advised Mr. Nielson that the City of Blanding desires to participate in the Recapture Dam project and authorized the Recorder to prepare a proposal for presentation to the San Juan Water Conservancy District, including advancing \$200,000.00 for project utilization as the District may direct and the expenditure of \$50,800.00, indirectly beneficial to the project, on the diversion works in the Indian Creek drainage from which source approximately fifty percent (50%) of the project water originates. In consideration of these proposed expenditures the City would receive 500 acre feet of water annually, to be taken from the Johnson Creek drainage and/or the reservoir, the right to purchase additional water from the reservoir at the price charged other customers, the right to construct pumping facilities and pipelines necessary to obtaining reservoir water, and the first right to reservoir water in times of drought emergency.

10. At the request of Councilman Black, Mr. Don Ellis Smith, member, City Utilities Task Committee, discussed with the Council the recommendations of such committee relative to the City water system improvement needs, including the Indian Creek diversion ditch and tunnel maintenance, the Johnson Creek diversion works, the "Upper" ditch enlargement, Johnson Creek Pipeline, Starvation Reservoir construction, Westwater Reservoir maintenance and enlargement, and the proposed Recapture Dam construction. Mr. Smith also detailed for the Council those projects recently completed, authorized or programmed, as evidence of progression towards the desired and adequate water system.

11. Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that in the current drought emergency situation, the City should proceed on a force-account basis with the Johnson Creek pipeline inlet structure improvements; and further that the City's engineering consultants, Horrocks Engineers, be authorized to proceed with the design specifications for necessary maintenance and improvements to the Indian Creek diversion works inclusive of the north tunnel portal.

12. The Engineer reported that a Utah Department of Health representative, a member of the City's consulting engineers, Horrocks Engineers and City officials were conducted through the Energy Fuels Nuclear, Inc. Blanding uranium extraction plant for the purpose of determining if effluent from the Blanding sewer treatment facilities could safely be used in the plant for mixing with ore during the grinding process; that the general consensus was that such effluent could be used and safely disposed of without creating a hazard to plant personnel.

13. Councilman Bradford reported the following:

1. The City Master Plan preparation is proceeding on a very tight schedule; with the Planning Commission scheduled to review committee information at a meeting on March 4, 1981.
2. Some consideration is warranted relative to availing of legal counsel residing in the City rather than having to await periodic visits from counsel currently residing in Salt Lake City. The Recorder should discuss the matter with the current City Attorney regarding the possibility of effecting a change, with the understanding that availability and convenience, not competency, is at issue.
3. A meeting with representatives of the Bureau of Outdoor Recreation indicated there is a possibility of transferring the funds programmed for the proposed Alexander Park to another location subject to the authorized program being carried out; that such funds could be used cooperatively with other funding agencies in developing a similar, larger program.

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4. The San Juan Conty Board of Commissioners has approved a Recreation program policy based on cooperation between the County, School District and local agency on 40-40-20 percent participation formula, respectively.

14. Motion was made by Councilwoman McDaniel, seconded by Councilman Black and unanimously carried that the City request the Bureau of Outdoor Recreation to authorize transfer of funds allocated to the Alexander Park development, to proposed cooperative recreation development in the vicinity of the Zenos L. Black Career Education Center, to be funded on a 40-40-20 percent basis by San Juan County, San Juan School District and the City of Blanding, respectively.

15. The Council requested that the City's consulting engineers, Horrocks Engineers, be contacted relative to their possibly preparing a master plan for the recreation development above proposed.

16. Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the Mayor be, and he is hereby, authorized to execute the contract documents with LaMar D. Construction Company, necessary to the City Water Treatment Plant improvement project.

17. The Council discussed the necessity for water conservation by all citizens and approved continued outside water use restrictions.

Meeting adjourned at 11:20 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MARCH 11,
1981 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmen: Bruce N. Black
Cleal Z. Bradford

City Councilwoman: LaRue McDaniel

City Engineer: Philip L. Palmer

City Deputy Recorder: Richard D. Laws

Absent: Councilman Francis M. Lyman, Councilman Jon L. Hunt,
City Recorder Francis D. Nielson.

Also Present: Larry & Diane Helquist & baby Marci, Steve Bronson, Marsha
Keele, Jay McDaniel.

Due to emergency Dr. Gibbons left Councilman Black to chair the meeting.

1. Prayer was offered by City Engineer Philip L. Palmer.

2. Minutes of 2-25-81 were read. Councilman Bradford requested that since
Item 8 of the minutes did not show four specific conditions of the council
considering the nursing home, that they be entered in these minutes, namely;

1-Mayor Gibbons resign in order to avoid any conflict of interest.

2-The area be re-zoned with the approval of the neighborhood.

3-Land be obtained elsewhere for use as a park.

4-Dr. Gibbons get approval for the project.

The minutes were approved as read.

3. Larry Helquist said that dogs are being shot in the city limits. He claimed
that illegal traps are also being used. The Council assured him that Francis M.
Lyman, or the City Manager, will talk with the Chief of Police on this matter.

4. The Council wants the city attorney to determine if citations can be issued
to citizens that continue to break the city dog ordinance after repeated warnings
or impoundment of their dogs.

5. By motion of Councilman Bradford and second by Councilwoman McDaniel it was
voted unanimous (3-0) and carried to recommend to the Mayor to re-appoint Ruth
Nielson to serve another term on the planning committee.

Mayor Gibbons returned and assumed the chair.

6. Steve Bronson asked how vacating of streets is accomplished. He wanted to
know what the costs would be. The street needs to be vacated in order to make
room for a proposed shopping center. Mr. Bronson requested to be on the agenda
in two weeks at which time he wishes to make a presentation relative to
Industrial Revenue Bonds and possible city participation. The Council requested
that Grant Hurst, City Attorney, be present at the next meeting to hear this
presentation.

7. Motion by Councilman Bradford and second by Councilman Black and carried
unanimously (3-0) to award the Johnson Creek work at the head of the pipeline
to C & C Construction for hourly equipment rental. The award was granted
subject to the bid price holding firm for 90 days.

8. Mayor Gibbons reported on the findings of the nuclear waste study. The
Elk Ridge area is being favorably considered.

The Mayor was again called on emergency and Councilman Black assumed chair.

9. Councilman Black recommended that \$5 be added to the minimum water charges per month. He felt that such action would be accepted by the community if they understood the situation. He suggested a series of articles in the newspaper explaining the increase would be appropriate. The Council decided to wait until the entire council was present before taking action.

10. The question of valving problems at the plant was raised. Apparently there has been some water loss into the second resevoir. Councilman Black asked if it should be pumped back into the system. The City Engineer felt this decision should be reserved until spring to determine the need.

Mayor Gibbons returned to chair the meeting.

11. Councilman Bradford reported receiving copies of job descriptions. He suggested that we also need a policy manual, including hiring policy.

12. The Council requested that Dwight Laws, member of the School Board, report on the Boards action relative to recreation. Dwight said the School Board has approved a 40-40-20 capital participation plan for development of a recreation site near the San Juan High School. The Board also approved this participation ratio for other joint development in the county, subject to the abilities of all parties concerned to meet their proportionate share of the obligation.

13. Marsha Keele invited the Council to hear Ruby Martin of Project Good Work at the City Library tomorrow at 11 a.m. The Chamber of Commerce needs an office to headquarter this project for the next year and requested use of office space in the City Hall. The Council requested that Mr. Ben Hendricks be contacted to see if the room he is presently assigned can be used.

Meeting Adjourned at 10:36 P.M.

Richard D. Laws
Deputy City Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
MARCH 28, 1981 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws

Also present were: Mr. Stan Howell; Mr. Kimball Young

1. Prayer was offered by Richard D. Laws.
2. Minutes of City Council meeting held March 11, 1981 were approved.
3. The Council requested that it be made a matter of public record that the City is not using illegal traps or poisonous substances in the dog control program.
4. Mayor Gibbons advised that the Neldon Cochran family will donate a large swing set to the South park; that the Lions Club will remove the old rest room building from the premises and assist in the park cleanup. It was agreed that the swing set should be accepted and that the Church of Jesus Christ of Latter Day Saints, owner of the park land and restroom building, should be consulted prior to the building being removed.
5. The Council discussed briefly the possibility of issuing Industrial Revenue Bonds for financing local business ventures. Mr. Kimball Young of Boettcher and Company advised that his firm has prepared guideline information relative to Municipal Industrial Revenue Bond issuance, which they would make available to the City for use in evaluating Industrial Revenue Bond proposals.
6. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Bradford and carried unanimously:

RESOLUTION NO. 1981-2A

A RESOLUTION ESTABLISHING WATER SALES RATES

BE IT RESOLVED by the City Council of the City of Blanding, Utah that effective April 25, 1981, the monthly rates for water sold to customers connected to the Blanding City Culinary Water System shall be as follows:

First 5,000 gallons or minimum monthly charge - \$10.00
Next 15,000 gallons, 40¢ per thousand gallons
Next 10,000 gallons, 50¢ per thousand gallons
Next 20,000 gallons, 60¢ per thousand gallons
All additional, 75¢ per thousand gallons

Water Service charges to customers living outside the corporate limits shall be two (2) times the above rate of the rate charged customers living within the corporate limits.

All funds accrued from the foregoing water rate increase, in excess of debt service and operating requirements, shall be placed in a water improvement capital reserve fund for the specific purpose of financing water system improvements.

PASSED, ADOPTED and APPROVED this 28th day of March, 1981.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

7. The Engineer advised the Council that necessary engineering and cost estimates are being prepared relative to a pumping-piping installation for lifting water from Reservoir No. 3 to Reservoir No. 4. The purpose of such installation is to eliminate the Dusett Ditch and the annual loss of water which results from filling Reservoir No. 4 by stream flow through such ditch. The Council approved proceeding with the project.

8. The Council again discussed the proposed Recapture Dam project and possible City participation in the same, inclusive of the City's offer of \$200,000.00 for 500 acre feet of water annually from either the reservoir or from streamflow. The San Juan Water Conservancy District Board and the Blanding Irrigation Company are currently considering such offer.

9. Councilman Bradford reported that the San Juan School District has approved a cooperative recreation capital improvements program proposed for the area east of the Zenos L. Black Career Education Center, to be funded on a 40-40-20 percent basis by San Juan County, San Juan School District and the City of Blanding, respectively.

10. Councilman Bradford advised that the task committees working on the City Master Plan are nearing completion of their various assignments; that information from the Police Department is still needed.

11. The Assistant Administrator discussed with the Council the following items relative to the Waste Collection operations:

1. Waste containers should be placed at the edge of the street on scheduled pick-up days.
2. Only proper, regulation containers should be used.
3. If circumstances warrant the use of employees family members to complete the days work, such persons should be compensated for their time.
4. The concrete barrier at the dump is too high for the new truck.
5. A safety mirror is needed on the truck to permit the operator a view of the area immediately in front.
6. The strictest possible pick-up schedule should be maintained.

The Council agreed that the foregoing items may be handled as routine operation and administration matters.

12. At the request of Councilman Black, the Council agreed to postpone the Johnson Creek Pipeline inlet improvement project until the end of the current runoff season.

Meeting adjourned at 10:20 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
APRIL 8, 1981 AT 8:00 O'CLOCK P.M.
IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant City Administrator: Richard D. Laws

City Attorney: Grant A. Hurst

Also present were: Mr. Reagan Bronson, Mr. Stanley Bronson, Mr. Stephen Bronson, Grayson Development Corporation; Mrs. Marsha Keele; Mr. Alma U. Jones; Mrs. Pauline Lisonbee; Mrs. Theresa Redd; Mrs. Inez Conway; Mrs. Mary L. Adams; Mrs. Lela Black; Mr. Burnhard Black, Mrs. Ruby Bronson; Mrs. June Morrell; Mrs. Melba Black; Mrs. Freeda Guymon; Mr. David L. Guymon; Mrs. Myrna Kimmerle; Mr. John Sanford; Mrs. Jacquelyn Hendricks; Mrs. Kathleen Lyman, Mr. Sylvan Johnson; Mrs. Gloria Gwilliam; Mr. Robert Gwilliam.

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held March 25, 1981 were approved.
3. Mr. Stanley Bronson briefed the Council relative to the Grayson Development Corporation proposal to construct a shopping center within the City.
Mr. Stephen Bronson presented the following letter to the Council:

Grayson Development Corporation
April 8, 1981

The Honorable D. L. Gibbons, Mayor
City of Blanding
Blanding, Utah 84511

Dear Mayor Gibbons,

Grayson Development hereby requests that the Council of the City of Blanding, Utah approve the sale of Industrial Revenue Bonds for the purpose of financing the Grayson Shopping Center.

We are looking forward to working closely with the Mayor, the City Council, and the City Attorney to insure that the criteria for the approval of this request are met.

Thank you.

Sincerely,
S/ Steven L. Bronson, President
Grayson Development Company

SLB/ kb

Following discussion of the matter, motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the Council go on record as being favorable to the proposed Grayson Shopping Center and authorize, subject to acceptable criteria being met, the preparation of an Inducement Resolution for later consideration, relative to possible Industrial Revenue Bond financing for the project.

4. Mayor Gibbons reported his attendance at a Regional Mayors conference called for the purpose of uniting municipal officials of the State in support of recent legislative action which would require a more equitable distribution of the Local Option Sales Tax collected by the State Tax Commission. Despite the concerted effort, Governor Matheson elected to veto the legislation.
5. Councilman Black reported that at a recent combined meeting of the Boards of Directors of the San Juan County Water Conservancy District and Blanding Irrigation Company relative to the proposed recapture Dam project, tentative agreement was reached to allow Blanding Irrigation Company use of 2000 acre feet and the City of Blanding 500 acre feet of water annually. Although cost of such water has been discussed, at this date cost is still to be negotiated.
6. Following considerable discussion relative to use of water for irrigation purposes, motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that during the current water shortage, use of water for irrigation purposes be limited to Monday and Thursday North of 1st South Street and Tuesday and Friday south of 1st South Street.
7. The Council agreed that the water well near the electric substation should be cleaned out and equipped for use by those needing to transport water for various purposes. The Council further requested that cost estimates be obtained for placing the Southeast water well in production.
8. Mayor Gibbons officially declared an emergency to be existing relative to the water resources of the community and requested that conservation be advocated and employed by all in the matter of water use.
9. Councilwoman McDaniel asked about the status of the Johnson Creek well pump engine and was advised that the engine has been overhauled and is in readiness for installation at the well site.
10. Councilwoman McDaniel discussed with the Council the necessity for scheduling development of a neighborhood park on North 300 West Street.
Councilman Bradford requested that the fiscal year 1982 budget contain a fixed amount for development of the proposed park, inclusive of the current year allocation and receive additional funding from anticipated fiscal year 1982 revenues.
11. Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1981-2

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute the certain Service Agreement by and between the City of Blanding and San Juan County providing for a cooperative street construction and maintenance program, and fire protection service; said agreement to be made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 8th day of April, 1981

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

12. The Council again discussed a proposed cooperative City-County-School District Parks and Recreation program. San Juan County has appointed a Recreation Board to operate its program. Dennis C. Jones will act as County Recreation Supervisor during the ensuing season.

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13. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1981-3

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain Joint Use Agreement by and between the City of Blanding and Blanding-Monticello Cable TV, Inc., allowing cooperative use of utility poles; said agreement to be made a part hereof by reference.

PASSED, ADOPTED and APPROVED THIS 8th day of April, 1981.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

14. Grant A. Hurst, City Attorney was instructed to proceed with preliminary investigation of requirements necessary to issuance of Industrial Revenue Bonds, should the City Council determine that such means of financing is warranted in connection with the proposed Grayson Development Company proposal for construction of a shopping center.

15. The Council agreed that juveniles having work assignments from the court could be utilized in various City maintenance programs.

16. Councilman Bradford advised that the Master Plan Rough Draft is to be available for the Planning Commission at their next regularly scheduled meeting.

Meeting adjourned at 11:45 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD APRIL 22,
1981 AT 8:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Absent was Councilmember Francis M. Lyman

Also Present were: Mr. Stan Howell; Mrs. Patsy Shumway; Mrs. Bonnie Purcell;
Mrs. Carolyn Hunt; Mrs. Judy Erickson; Mrs. Marsha Keele.

1. Prayer was offered by the Engineer.
2. The following petition was reviewed by the Council:

P E T I T I O N

This is a petition to the City Council of Blanding requesting that
the Council form a Ad-Hock Committee on Drugs and Alcohol.

Sincerely,

Cleal Bradford
Judy Erickson
Terry Payne
Tony & Barbara Turk
Ronna McDermed
Carolyn Hunt
President Fred Halliday
Jim Shearer
- - - - -
Peter Henderson
Chris Johnson
Kevin Webb
Wendell Shumway
David Dennison

Mayor Gibbons appointed the following citizens as an Ad-Hock Committee
on Drugs and Alcohol:

Cleal Z. Bradford, Chairman	Carolyn Hunt
Judy Erickson	Fred E. Halliday
Terry Payne	Jim Shearer
Tony Turk	Peter Henderson
Barbara Turk	Chris Johnson
Ronna McDermed	David Dennison

Kevin Webb - Ex-Officio Member
Wendell Shumway, Ex-Officio Member

Motion was made by Councilwoman McDaniel, seconded by Councilman Black and
unanimously carried that the Council give its advise and consent to the appointment
of the foregoing committee.

3. The Council discussed the necessity for greater detail relative to the Council
meetings agenda. It was agreed that the Mayor and Council will furnish the
Recorder a statement of items proposed for discussion and action at ensuing
Council meetings, by not later than 12:00 O'Clock Noon of the day preceding
scheduled meetings. The Recorder will post a copy of the official Council

meeting Notice and Agenda on the front door of the City Office Building by not later than 24 hours in advance of such meetings.

4. Minutes of City Council meeting held 4-8-1981 were approved.

5. Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1981-4

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City adopt the following:

CRITERIA AND PROCEDURES REGARDING CONSIDERATION OF
INDUSTRIAL REVENUE BOND APPLICATION

- I. No Resolution for Inducement will be considered by the City without the submission of the required information to the Mayor.
 - A. Business enterprise data and information (if a subsidiary, provide this information for subsidiary and parent company).
 1. Name of business enterprise
 2. Address
 - a. Business Headquarters
 - b. Regional offices
 3. If incorporated:
 - a. State of Incorporation
 - b. Date of incorporation
 4. Business officers:
 - a. Chairman and Board of Directors
 - b. Operating officers
 - c. Partners/limited partners
 - d. Other
 5. Auditors; Legal Counsel; Bond Counsel; Proposed Underwriter of Purchaser of Bonds
 - a. Name
 - b. Address
 - c. Length of service to the firm
 6. Principals; Developer; Architect; Engineer; Contractor:
 - a. Name
 - b. Address
 - B. Time Schedule
 1. Bonding
 - a. Date of Inducement Resolution Proposal
 - b. Date of bond issuance
 2. Project Construction
 - a. Initiation of project
 - b. Project completion
 3. Explanation of variables impacting time schedule of project
 - C. Legitimacy - opinion of recognized Bond Counsel that project qualifies under Utah Industrial Facilities Act.

D. Purpose of the proposed industrial revenue bond issue

1. Brief description
2. Economic feasibility analysis

E. Rationale for seeking public participation (IRB)

1. Explanation
2. Downstream implications and requirements (e.g., future requirements and other public incentives associated with this project)
3. Other public incentives considered in view of IRB

F. Fiscal and financial consideration

1. Proposed IRB issue

- a. Amount of the proposed IRB issue principal
- b. Term of bond issue
- c. Anticipated interest rate
- d. Comparable rate for firm's taxable debt securities
- e. Proposed method of securing bonds

2. Operational

- a. Review of most recent (3 years) audits and financial statements of issuing business
- b. Current audited financial statement, unless waived by the City
- c. Corporate structure and subsidiaries
- d. Banking institution of record
- e. Outstanding litigation resulting in possible liability (Court of Record)

3. Pro forma financial disclosure of net income projections of the project, if the bond issue is approved.

4. Other related

a. Previous participation in IRB financing

- (1) Location
- (2) Amounts (original principal for each issue)
- (3) Purpose(s)
- (4) Form or current status of each issue, including outstanding balance
- (5) Lease or installment purchase

b. Security arrangement for each outstanding issue

- (1) Trustee
- (2) Insurance
- (3) Bank letters of credit
- (4) Mortgage
- (5) Guaranty

G. Analysis of proposed public impacts

1. Fiscal and financial impacts

- a. Revenue (property tax, sales tax, inventory tax, other)
- b. Public service requirements (public safety, streets, utility connections, zoning, transportation, etc.)

2. Employment opportunity

- a. Annualized payroll added to the City
- b. New jobs created
 - (1) Total
 - (2) Anticipated to be filled by transfers
 - (3) Anticipated to be filled by recruitment from within the City.

3. Location

- a. Where will investment take place
- b. Does firm own site? (If not, who held?)
- c. Size of parcel
- d. Zoning requirements

4. Growth and development

- a. Related firms (supplier or others - subcontractors) that might logically accompany the project
- b. Relationship of functions (products or services) to be performed in the project facility to existing enterprise in the City.
- c. Relationship to business operations
 - (1) Expansion of business operations
 - (2) Relocation from other area of the State or nation (where)

II. Upon review for completeness, documents will be distributed for evaluation as follows:

- A. City Attorney and/or consultant bond counsel
- B. Finance departmental staff and/or financial consultants

III. Upon completion of evaluation, Resolution of Inducement, together with summary documents outlining the purpose, scope and impact of the project to be provided by applicant together with recommendations of the City Attorney and Mayor shall be submitted to the City Council.

6. Mayor Gibbons discussed with the Council alternative location of the federal MX defense system, proposed low income housing allocation to the community and the Chapter 11 financial reorganization of Canyonlands 21st Century Corporation.

7. Councilman Black reported the Reservoir No. 3 pipeline project complete excepting for final connection and that obtaining of related pumping equipment is being delayed pending an indication that the available water for storage will justify such equipment rental costs.

8. Councilman Bradford advised that completion of the City Master Plan will be delayed approximately six weeks to allow certain task committees ample time for fulfilling their assignments.

9. In response to an inquiry by Councilwoman McDaniel relative to fire hydrant placement consideration in developing areas, the Engineer advised that the matter is addressed in the Water System Master Plan.

10. Councilwoman McDaniel discussed the necessity for traffic control in the area of the San Juan High School baseball field during scheduled competitive sports use of such facility. The Council agreed that the regulation requiring closure of 2nd North Street between Main and 1st East Street during the beforestated periods of use, has not been rescinded and must be adhered to; that the responsible recreation director shall effect the placement of the closure barriers as required.

11. Mr. Wm Van Potter of the San Juan Center, College of Eastern Utah, discussed with the Council the Center's application for Federal Land relative to a campus location and the required "Qualification Statement" portion of such application, to which he requested the Council lend their support.

The Council expressed support for the programs of the San Juan Center and authorized the Recorder to prepare a letter indicative of such support, consistent with Mr. Potter's request.

12. The Recorder presented the proposed Fiscal Year 1982 Operating and Cash budgets for the General Fund, Class C. Road Fund, Collector Road Fund, Bond Redemption and Interest Fund, Waste Collection Enterprise Fund, Airport Enterprise Fund, Electric, Water and Sewer Operating Fund, and Electric, Water and Sewer Capital Improvements Fund in the amounts of \$503,570.73, \$61,800.00, \$46,400.00, \$45,964.50, \$59,210.00, \$6,275.00, \$975,280.00, and \$2,261,745.00, respectively.

Meeting adjourned at 10:40 P.M.

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MAY 13,
1981 AT 8:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Also Present: Norman L. Johnson, Energy Fuels Nuclear, Inc; Bonnie B. Purcell;
Stan Howell; Kathleen Lyman, San Juan Nursing Home; Ida Mae Palmer; LaVell Palmer;
Myrtle H. Redd; Melba H. Black; Colleen Harvey; Charles Harvey; David L. Guymon;
Greg Christensen; Marsha Keele; Steven Bronson, Stanley Bronson, Reagan Bronson,
Grayson Development Corporation; Paul K. Summers, Boyd Phillips, Utah Board of
Water Resources.

The meeting was called to order and the first portion conducted by Councilman
Francis M. Lyman, Mayor Pro Tempore.

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held April 22, 1981 were approved.
3. The following petition for annexation was reviewed by the Council:

Blanding, Utah
April 28, 1981

To the Honorable Mayor and
Members of the City Council
City of Blanding
Blanding, Utah

RE: Petition for Annexation

The undersigned owners of real property, as shown by the last
assessment rolls, hereby petition the municipality of Blanding, Utah, for
annexation to the municipality of the property shown on the attached plat
or map as certified by the engineer or surveyor whose name appears thereon.

S/ Ronald J. Harvey
Colleen B. Harvey

SURVEYOR'S CERTIFICATE

I, George H. Newell do hereby certify that I am a Registered Engineer and/or Land
Surveyor, and that I hold Certificate No. 1770, as prescribed by the laws of the
State of Utah, and I have made a survey of the following described property:

Beginning 1382 feet North and S. 89° 30' W. 780.0 feet from
the S $\frac{1}{4}$ corner of Section 27, T. 36 S., R 22 E., SLB&M., and
running thence S. 89° 30' W. 83.0 feet, thence North 260.0 feet,
thence N. 89° 30' E. 83.0 feet, thence South 260.0 feet to the
point of beginning.

I further certify that the above plat correctly shows the true dimensions of
the property surveyed and of the Improvements located thereon and their
position on the said property; and further that none of the Improvements on
the above described premises encroach upon adjoining properties, and that no
improvements, fences, or eaves of adjoining properties encroach upon the
above described property and that there are no violations of the building
restriction or zoning ordinances, except as shown and designated on the plat.

S/ George H. Newell

Dated August 12, 1964

Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1981-6

A RESOLUTION DECLARING THE ANNEXATION
OF TERRITORY TO THE CITY OF BLANDING

WHEREAS, a majority of the owners of real property and the owners of not less than one-third in value of the real property as shown on the last assessment rolls in territory lying contiguous to the City of Blanding have petitioned said City for annexation; and

WHEREAS, the petition was accompanied by an accurate plat or map of the territory to be annexed prepared under the supervision of a competent engineer or land surveyor and certified by the same; and

WHEREAS, the petition and plat or map have been filed in the office of the City Recorder,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah:

Section 1. TERRITORY ANNEXED. The territory described below is hereby annexed to the City of Blanding:

Beginning 1382 feet North and South 89°30' West
780.0 feet from the South Quarter Corner of
Section 27, Township 36 South, Range 22 East,
Salt Lake Base and Meridian, and running thence
South 89°30' West 83.0 feet; thence North 260.0
feet; thence North 89°30' East 83.0 feet; thence
South 2600 feet to the point of beginning.

Section 2. EFFECTIVE DATE: This resolution shall take effect immediately.

PASSED, ADOPTED and APPROVED by unanimous vote of the Blanding City Council this 13th day of May, 1981.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

4. The following letter was received from the Blanding Chamber of Commerce:

Blanding Chamber of Commerce
Blanding, Utah 84511
May 13, 1981

The Honorable De L. Gibbons
Mayor of the City of Blanding

Mr. Mayor and Members of the City Council,

The Board of Directors of the Blanding Chamber of Commerce does hereby issue this letter in support of the proposed Grayson Shopping Center, a project planned by the Grayson Development Corporation.

We are of the opinion that such a project could be beneficial in numerous ways to our community. Not only would the shopping center provide additional employment for area residents, but it would strengthen the City's tax base. Contained in the proposed project are the seeds of economic growth prized by every community. This as well as providing a place for local and area residents to enjoy many of the shopping and recreational opportunities now available only through travel to other cities.

We have had opportunity to study and discuss the project and have concluded that it is a feasible goal to have such a shopping center in our city. We

therefore urge that the City of Blanding issue the Industrial Revenue Bonding requested by the Grayson Development Corporation for this project. The said Bonding to be issued, of course, pursuant to the Grayson Development Corporation having satisfactorily met the criteria outlined by the City for issuance of such Bonding.

Respectfully,
S/ Stanford L. Howell
Board of Directors Representative
Blanding Chamber of Commerce

5. The Chamber of Commerce presented to the Council, their annual "Citizen of the Year" plaque to be exhibited in the Council chambers.

6. The following ordinance was read in full by the Council:

ORDINANCE NO. 1981-1

AN ORDINANCE REPEALING TITLE 12-000.
PLANNING AND ZONING. OF THE CODE OF
REVISED ORDINANCES OF THE CITY OF
BLANDING.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation, State of Utah, that:

Section I. Title 12-000. PLANNING AND ZONING. Of the Code of Revised Ordinances of the City of Blanding, is repealed in its entirety.

Section II. In the opinion of the Blanding City Council, it is necessary to the peace, health, and safety of the inhabitants of the City of Blanding, Utah, that this ordinance become effective immediately.

Section III. This ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah, this 13th day of May, 1981.

S/ DeLamar Gibbons, M. D.

ATTEST:

S/ Francis D. Nielson
City Recorder

Date of Posting:
May 15, 1981

Motion for adoption of the foregoing ordinance was made by Councilwoman McDaniel and seconded by Councilman Hunt, voting on the motion being as follows:

Those voting "Aye":	Councilman Hunt Councilman Lyman Councilwoman McDaniel
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Those voting "Nay":	None
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Those absent:	Councilman Black Councilman Bradford
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constituting all the members thereof.

Whereupon the motion was declared to have carried and Ordinance No. 1981-1 duly adopted and approved.

7. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1981-5

A RESOLUTION RENUMBERING CERTAIN OF THE ORDINANCES/AMENDMENTS OF THIS CITY OF BLANDING TO CONFORM WITH THE FORMAT OF THE CODE OF REVISED ORDINANCES, CITY OF BLANDING.

A meeting of the City Council of the City of Blanding, State of Utah, was held at the Blanding City Offices, 50 West 100 South, Blanding, Utah on the 13th day of May, 1981. A quorum of the City Council being present, whereupon the following resolution was offered, seconded and adopted:

RESOLVED, by the Blanding City Council, hereinafter "Council", that the Blanding City Zoning Ordinance be redesignated as follows:

TITLE 12-000. PLANNING AND ZONING.

CHAPTER 12-100. GENERAL

PART 12-110. Title

12-111. Purpose

12-112. Separability

12-113. Scope

12-114. Implication

12-115. Establishment of Zoning Districts

12-116. Zoning District Map

12-117. Uniform District Regulations

12-118. Zone Law for Structures and Uses

CHAPTER 12-120. ADMINISTRATION AND ENFORCEMENT.

PART 12-121. Administering and Enforcing Agency

12-122. Violations, Penalties and Remedies

12-123. Board of Adjustment

CHAPTER 12-130. DISTRICT REGULATIONS.

PART 12-131. R-1 Residential District

12-132. R-2 Residential District

12-133. Commercial District

12-134. Industrial District

12-135. Open Space District

12-136. Mobile Home District

CHAPTER 12-140. NON-CONFORMING USES AND STRUCTURES.

PART 12-141. Non-Conforming Uses

12-142. Non-Conforming Structures

CHAPTER 12-150. OFF-STREET PARKING AND LOADING MAINTENANCE.

PART 12-151. General

12-152. Specifications

CHAPTER 12-160. SIGN REGULATIONS.

- PART 12-161. Scope of Regulations
- 12-162. General Requirements
- 12-163. Sign Regulations and Zoning Districts
- 12-164. Joint Identification Signs
- 12-165. Sign Area Measurement

CHAPTER 12-170. DEVELOPMENT PLANS.

- PART 12-171. Purpose
- 12-172. Submittal and Contents
- 12-173. Review and Approval
- 12-174. Significance
- 12-175. Amendments

CHAPTER 12-180. AMENDMENT PROCEDURES.

- PART 12-181. Statement of Public Policy
- 12-182. Type and How Made
- 12-183. Public Caring
- 12-184. Protest to Map Amendments
- 12-185. Minimum Size of Area

CHAPTER 12-190. DEFINITIONS.

BE IT FURTHER RESOLVED, that the Subdivision Ordinance be renumbered and designated as follows:

CHAPTER 12-300. SUBDIVISIONS.

- PART 12-301. Definitions
- 12-302. General Provisions
- 12-303. Scope of Ordinance
- 12-304. Preliminary Plan
- 12-305. Final Plan
- 12-306. Relations to Adjoining Street System
- 12-307. Street and Alley Widths, Cul-de-sacs, Easements.
- 12-308. Blocks
- 12-309. Lots
- 12-310. Parks, School Sites and other Public Spaces
- 12-311. Improvements
- 12-312. Special Provisions for Small Subdivisions
- 12-313. Enforcement and Permits
- 12-314. Penalty
- 12-315. Validity

BE IT FURTHER RESOLVED, that the following ordinances be formally numbered as follows:

<u>Ordinance Number</u>	<u>Subject</u>	<u>Code of Revised Ordinance Formal Number</u>
1979-1	Director of Finance position created	3-929.A.
1979-2	Making the Mayor the Director of Finance	3-929.B.
1980-2	Create Office of City Engineer	3-930
1979-3	Utah Traffic Code adopted	11-321
	Citations to Code	11-322
	Prima Facie speed-posted streets	11-323
	Traffic control	11-324
	Unlawful parking	11-325
	Through streets-stop and yield intersections	11-326
	Parking-blocking streets	11-327
	Penalties	11-328
	General	11-329
	Severability	11-329.A.
	Repealer	11-329 .B.
	Effective Date	11-329 .C.

DATES this 13th day of May, 1981

CITY OF BLANDING

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

DATE OF POSTING:
May 15, 1981

8. The following ordinance was read in full by the Council:

BLANDING CITY ORDINANCE
NO. 1981-2

AN ORDINANCE AMENDING THE BLANDING CITY ZONING ORDINANCE TO PROVIDE FOR THE PLANNING COMMISSION, BOARD OF ADJUSTMENT, BUILDING PERMITS AND FEES FOR PETITIONS TO REQUEST ZONING CHANGES.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation, State of Utah, that:

Section I. The Blanding City Ordinance, Title 12-000 is amended as follows:

A. Chapter 12-120 is repealed in its entirety and replaced with the following:

CHAPTER 12-120. ADMINISTRATION ENFORCEMENT.

PART 12-121. PLANNING COMMISSION

A. PLANNING COMMISSION CREATED. There is hereby created a Commission to be known and designated as a Planning Commission of the City of Blanding, Utah, to be appointed and to hold office as is set forth herein-after.

B. MEMBERS OF THE PLANNING COMMISSION. The Planning Commission shall consist of five members, one of whom shall be designated from among the members of the City Council, and four shall be appointed by the Mayor, with a consent of the City Council. The term of office for the Council members shall correspond to his or her term of office. The term of office for each appointed member shall be four years. Each Commissioner shall hold office until his or her successor is appointed and qualified.

C. ORGANIZATION.

- (1) The members of the Planning Commission shall select from their own members a Chairman and such other officers as necessary and shall adopt rules and regulations for their organization and for the transaction of business in the conduct of their proceedings.
- (2) The reports of official acts and recommendations of the Planning Commission shall be public and made by the Chairman in writing to the governing body and shall indicate how each member of the Commission voted with respect to such act or recommendation. Any member of the Commission may also make a concurring or dissenting report or recommendation to the governing body.
- (3) The Planning Commission shall meet monthly and at such other times as the Planning Commission may determine.
- (4) Three members of the Planning Commission shall constitute a quorum.

D. DUTIES AND POWERS. The Planning Commission shall have all the powers and duties explicitly or impliedly given the Planning Commission by the laws of the State of Utah.

PART 12-122. BOARD OF ADJUSTMENT.

A. CREATION AND ORGANIZATION. There is hereby created a Board of Adjustment, hereinafter referred to in this Article as "the Board." The membership of the Board shall consist of five residents of the municipality, appointed by the City Council, one of whom shall be a member of the Planning Commission. Their terms of office are five years, and must be fixed so that the term of office of one member expires each year. Appointments to fill vacancies are to be made only for the unexpired portion of the term. The Board shall elect from its own membership its officers, who shall serve annual terms and who may succeed themselves. For the

conduct of any hearing or the taking of any action, a quorum of three members is required. No member of the Board shall hold any other office with the City of Blanding except the member who is also a member of the Planning Commission. This member may also be the member of the City Council who sits on the Planning Commission.

B. APPEALS TO THE BOARD OF ADJUSTMENT.

- (1). Appeals to Board-Time-Persons
Entitled-Transmission of Papers.
(See Utah Code Annotated, 1953, as amended, Section 10-9-9.)
- (2) Stay of Proceedings Pending Appeal. (See Utah Code Annotated, 1953, as amended, Section 10-9-10.)
- (3) Notice of Hearing of Appeal - Right of Appearance. (See Utah Code Annotated, 1953, as amended, Section 10-9-11.)
- (4) Powers of Board on Appeal. The Board of Adjustments shall have the following powers:
 - i. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the administrative official in the enforcement of this ordinance.
 - ii. To hear and decide special exceptions, if any, to the terms of this ordinance.
 - iii. To authorize upon appeal such variance from the terms of this ordinance as will not be contrary to the public interest, wherein special conditions or literal enforcement of the provisions of the ordinance will result in unnecessary hardship; provided, that the spirit of the ordinance shall be observed and substantial justice done. Any variance must be granted pursuant to the terms of said subpart E. below.
 - iv. To hear and decide requests for conditional uses, but only within the respective zones in which such conditional uses are permitted.
- (5) Decision on Appeal. (See Utah Code Annotated, 1953, as amended, Section 10-9-13.)
- (6) Vote Necessary to Reverse Decision of Appointed Official. (See Utah Code Annotated, 1953, as amended, Section 10-9-14.)

C. RULES FOR PROCEEDING BEFORE THE BOARD.

The Board shall adopt rules governing its actions. Among other things, such rules shall require that:

- (1) The Board shall reach decisions on matters within its jurisdiction only after a public hearing.
- (2) The Board shall give notice of such hearing to the public, the applicant, the Planning Commission, the Building Inspector, and to such other persons or agencies as the Board may designate by rule, and to any person who has made a timely request for notice. The Board shall give notices in such manner and at such time as shall be prescribed by rule.

- (3) At any public hearing, any interested party may appear and, after being duly sworn, may offer evidence and testimony and cross-examine witnesses.
 - (4) All evidence and testimony shall be presented publicly.
 - (5) The Board shall keep a record of the proceedings, for each case heard, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost. The record of proceeding shall include all documents and physical evidence considered in the case.
 - (6) The Board shall render a written decision on each case heard within 45 days of the hearing. Each decision must be accompanied by reasons therefor and based on findings of fact. Conclusions based on any provisions of this ordinance, or any rule or regulation, must contain a reference to the provisions, rule, or regulation, relied on and the reasons why the conclusion is deemed appropriate in light of the facts found. The Board may deliberate in executive session and such deliberation shall not be a part of the record of the proceedings. However, the record shall show the grounds for each decision and the vote of each member upon each question. This record of proceedings shall be a public record.
- D. ADMINISTRATION. The City Council may establish by resolution reasonable fees to be paid by an applicant requesting a hearing before the Board. The Board will have such technical assistance and monies as Council may provide.
- E. POWERS OF THE BOARD. The Board shall have the power to modify the requirements of this ordinance as hereinafter provided. In the exercise of this power the Board may affirm, reverse or modify the order or decision appealed from and make such order as ought to be made and to that end shall have all the powers of the officer appealed from as more fully set forth in subpart B. above.
- F. VARIANCES. The Board of Adjustment may authorize, upon appeal, such variances from the terms of this ordinance as will not be contrary to the public interest. The purpose of the variance shall be to modify the strict application of the requirements of this ordinance where, owing to exceptional and extraordinary circumstances, literal enforcement of the terms of the ordinance will result in unnecessary hardship. Every such variance authorized shall not be personal to the applicant but shall run with the land. No variance shall be authorized unless the Board shall find that all of the following conditions exist:
- (1) That the variance will not authorize a permitted use other than those specifically enumerated in the zoning district in which the variance is sought.
 - (2) That only to extraordinary circumstances, literal enforcement of the provisions of this ordinance will result in unnecessary hardship.
 - (3) That the extraordinary circumstances were not created by the owner of the property and do not represent a general condition of the district in which the property is located.

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- (4) That the variance, if granted, will not substantially or permanently injure any adjacent conforming property.
- (5) That the variance will not alter the character of the district in which it is located.
- (6) That the variance, if granted, is the minimum variance of the least modification that will afford the relief sought.
- (7) That the variance will be in harmony with the spirit of this ordinance and will not adversely affect the public health, safety or welfare.
- (8) Before any application for variance shall be granted, the Board shall give the governing body at least fifteen days notice of the application. The governing body shall have the opportunity to respond and comment on the application within the fifteen days.

G. APPEALS FROM THE BOARD. Any person, firm, or corporation aggrieved by any decision of the Board has recourse to court review of the Board's actions, provided a petition stating that the decision is illegal in whole or in part, and specifying the grounds of the illegality is filed within thirty days after the filing of the decision in the office of the Board.

PART 12-123. BUILDING INSPECTOR.

- A. There is hereby created the office of Building Inspector, which position may be filled by the same person filling a position of City Engineer. The Building Inspector is vested with the power and duty to administer and enforce the provisions of this ordinance. For this purpose he shall administer such persons and monies as the City Council may provide. Incidental to this charge, he shall:
- (1) Administer rules and procedures established by the City Council for conducting the zoning affairs of the City of Blanding, including issuing permits, collecting fees, coordinating with other officials, and developing necessary forms.
 - (2) Intervene and participate, when deemed desirable, in public hearings before the Board of Adjustment on behalf of the City, and have decisions of the Board reviewed in court when Council considers such review desirable.
 - (3) Receive and review all applications for permits and approve or disapprove such applications as a basis for the issuance of permits by the City Recorder.
 - (4) Receive all applications for amendment to this ordinance and to the zoning district map, refer such applications to other City officials for comments and applications to the City Council for final disposition.
 - (5) Propose to the Planning Commission any changes to this ordinance or to the zoning district map that may be desirable and necessary.
 - (6) Maintaining current zoning ordinance and map or maps showing the current zoning classification of all lands within the municipality.

- (7) Maintain a current register of all non-conforming uses.
- (8) Maintain such records and files as may be necessary in the conduct of the above duties.
- (9) Make any examinations or investigations relative to the use of the land or structures to determine compliance with these regulations.

B. BUILDING PERMITS.

- (1) The Building Inspector shall not issue any building permit for any building, construction or repair of any building unless such fully conforms to all zoning regulations or ordinances of this municipality in effect at the time of the application.
- (2) No permit shall be issued for any building or structure or part thereof on any land located between the mapped lines of any street as shown on any official street map adopted by the governing body. However, the Board of Adjustment shall have the power, upon an appeal filed with it by the owner of any such land, to authorize the grant of a permit for a building or structure or any part thereof within any mapped street located in any case in which the Board of Adjustment upon the evidence finds:
 - i. That the property of the appellant of which such mapped street location forms a part will not yield a reasonable return to the owner unless such permit be granted, or
 - ii. That balancing the interest of the municipality in preserving the integrity of the official map and the interest of the owner in the use and benefits of the property, the grant of such permit is required by consideration of justice and equity. Before taking any such action, the Board of Adjustment shall hold a public hearing thereon. In the event that the Board of Adjustment decides to authorize a building permit, it shall have the power to specify the exact location, ground area, height, and other details and conditions of extent and character and also the duration of the building, structure, or part thereof to be permitted.

PART 12-124. VIOLATIONS, PENALTIES AND REMEDIES.

- A. A failure to comply with any of the provisions of this ordinance shall constitute a violation of this ordinance. Every day in which a violation exists shall constitute a separate violation and a separate offense. The Building Inspector shall, in writing, state the nature of the violation to the owner, the developer, tenant, lessee or manager and the method and time by which the violation must be corrected. After any such order has been served on any use, any building or any tract of land, no work shall proceed on such use, building or tract of land except to correct the violation.
- B. Any person, firm or corporation violating any provisions of this ordinance, upon conviction thereof, shall be fined not more than \$299.99 or imprisoned not more than 90 days, or both. Each day during which the illegal

erection, construction, reconstruction, alteration, maintenance or use continues, it shall be deemed a separate offense.

- C. In addition to any of the foregoing remedies, the City Attorney acting in behalf of the City Council, or any proper person, may maintain an action for an injunction to restrain any violation of this ordinance. The imposition of any penalty hereunder shall not preclude the municipality or any proper person from instituting any appropriate action or proceeding to require compliance with the provisions of this ordinance and with administrative orders and determinations made hereunder.

Section II. Chapter 12-180 of the Zoning Ordinance is amended by the addition of the following provision:

PART 12-186 FILING FEE AND PUBLICATION CHARGE.

At the time the application is filed requesting change with respect to zoning or building or uses of land as contemplated by this ordinance, there shall be paid to the treasurer a filing fee of _____ DOLLARS. Should a public hearing be required by law or otherwise upon the change so applied for, the applicant shall pay to the treasurer the sum of _____

DOLLARS

for the purpose of deferring the cost of advertising such public hearing. The Recorder/Clerk shall notify such applicant of such charge for advertising and shall not proceed with the advertising until such charge has been paid.

Section III. In the opinion of the Blanding City Council, it is necessary to the peace, health, and safety of the inhabitants of the City of Blanding, Utah, that this ordinance become effective immediately.

Section IV. This ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah, this 13th day of May, 1981.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

DATE OF POSTING: May 15, 1981

Motion for adoption of the foregoing ordinance was made by Councilman Bradford and seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "Aye":	Councilman Black
	Councilman Bradford
	Councilman Hunt
	Councilman Lyman
	Councilwoman McDaniel

constituting all the members thereof.

WHEREUPON the motion was declared to have carried and Ordinance No. 1981-2 duly adopted and approved.

9. The following ordinance was read in full by the Council:

BLANDING CITY ORDINANCE

No. 1981-3

AN ORDINANCE ESTABLISHING APPROVAL OF PLANNING
COMMISSION AS CONDITION PRECEDENT TO FILING
PLAT - GOVERNING SUBDIVISION OF LAND.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation,
State of Utah, that:

Section I. The following is hereby adopted as Part 12-320 of the Code
of Revised Ordinances of the City of Blanding:

PART 12-320. ADOPTION OF MAJOR STREET PLAN - EFFECT ON RIGHT TO
FILE PLAT - APPROVAL OF PLANNING COMMISSION AS
CONDITION PRECEDENT TO FILING PLAT - REGULATIONS
GOVERNING SUBDIVISION OF LAND.

From and after the time when the Planning Commission
shall have certified the same to the City Council, no
plat of a subdivision of land lying within the
municipality shall be filed or recorded in the
County Recorder's office until it shall have been
submitted to and approved by the said Planning
Commission and City Council, and such approval
entered in writing on the plat by the secretary of
the Planning Commission and City Recorder, or other
designated members or employees. The County Re-
corder shall not file or record a plat of a sub-
division without such approval, and the County
Recorder in so doing shall be deemed guilty of
a misdemeanor. The filing or recording of a
plat of a subdivision without such approval shall
be void. In exercising the powers granted to it
by the Act, the Planning Commission shall prepare
regulations governing the subdivision of land
within the municipality. A City Council may adopt
said regulations for the municipality.

Section II. In the opinion of the Blanding City Council, it is
necessary to the peace, health, and safety of the inhabitants of the City of
Blanding, Utah, that this ordinance become effective immediately.

Section III. This ordinance shall take effect immediately upon
posting.

PASSED by the City Council of the City of Blanding, Utah, this 13th
day of May, 1981.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

DATE OF POSTING: May 15, 1981

Motion for adoption of the foregoing ordinance was made by Councilman
Hunt and seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "Aye":	Councilman Black
	Councilman Bradford
	Councilman Hunt
	Councilman Lyman
	Councilwoman McDaniel

constituting all the members thereof.

WHEREUPON the motion was declared to have carried and Ordinance No.
1981-3 duly adopted and approved.

Mayor Gibbons conducted the balance of the meeting.

10. Mayor Gibbons suggested that some consideration should be given to revising the schedule for irrigation water use as some areas have limited capacity water lines and are unable to complete the irrigation desired. The Recorder reported that the average daily water consumption for the first 12 days of May was approximately 520,000 gallons and that the imposed irrigation use restrictions were apparently accomplishing their intended purpose. The Council determined not to revise the irrigation watering schedule at this time.

11. Councilman Black reported that he, the Engineer, Mr. Rex Harrison of Horrocks Engineers, Mr. Paul Summers and Mr. Boyd Phillips of the Utah Board of Water Resources, made an inspection tour of the City's water collection system and discussed the projects proposed for the area, inclusive of the Indian Creek diversion and tunnel maintenance requirements as well as the Johnson Creek Pipeline inlet and Upper Witch improvements.

Mr. Paul Summers of the Utah Board of Water Resources advised the Council that the proposed collection system maintenance and improvement project are all apparently necessary and feasible, and possibly eligible for funding, through the Utah Board of Water Resources, Cities Loan Fund, by diversion of the prior allocated Deep Water Well project funds to such collection system projects. He suggested the City's representatives should present the project details and a request for funds use change, at the next regular meeting of the members of the Utah Board of Water Resources to be held in Moab, Utah on June 5, 1981.

12. At the request of Councilman Black, Mr. Summers explained to the Council how the City might participate in the construction costs of the proposed Recapture Reservoir project as follows:

1. Of the total amount proposed to be borrowed by the San Juan County Water Conservancy District from the Utah Board of Water Resources, the City could agree with the District to repay \$300,000.00 at 3% Interest during the 40-year loan period.
2. The total amount to be borrowed by the District could be reduced by \$300,000.00 which could then be borrowed by the City from the Board of Water Resources, under which arrangement the interest rate would be 5% for the like 40-year loan period.

13. The Council reviewed with staff, the value of staff meetings and employer activity reports.

14. Following a brief discussion of terms and conditions relative to water connections allowed property owners as easement consideration for the Johnson Creek pipeline, Councilman Black agreed to discuss the issue with various connection users to determine any use right restrictions.

15. Councilman Bradford reported that the City Master Plan is nearing completion, that some issues are requiring additional time for writing and review.

16. Councilman Hunt reported that the Utah Division of Aeronautics has funds available on a matching basis for airport runway and parking apron maintenance. He agreed to discuss with San Juan County officials the possibility of a runway maintenance project at the Blanding Airport.

17. Councilman Lyman presented the April Police Department Report for filing, following which members of the Council commended the department for excellent service rendered the community.

18. Councilwoman McDaniel advised the Council that John R. Seely, City Streets Foreman, has requested additional salary consideration. The Council declined action on the matter pending review of Mr. Seely's activity reports for the months of May and June 1981.

May 13, 1981

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19. The following letter was received from the Planning Commission:

City of Blanding
50 West 1st South
Blanding, Utah
May 8, 1981

Mayor and City Council
City of Blanding
P. O. Box 68
Blanding, Utah 84511

RE: Planning Commission Action May 6, 1981
Rezoning Petition from DeLamar Gibbons, M. D.

Dear Mayor and City Council:

At the regular meeting of the Planning Commission held May 6, 1981, the rezoning petition from DeLamar Gibbons, M. D. was considered. This petition concerns property owned by the City where the San Juan Nursing Home stands and that immediately to the North.

The motion passed unanimously by the Planning Commission was that the petition be passed on to the City Council without a recommendation. That the minutes of the Commission meetings where this item was discussed also be sent for your reference.

One reason for the "no recommendation" was that although the petition is valid, the owner is the City and as such no indication has been given as to whether the Council supports the rezoning or not.

Enclosed is much of the file information on this matter.

Respectfully submitted,
S/ Hugh P. Kirkham

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the City hold a Public Hearing on Tuesday, June 9, 1981 at the hour of 7:00 O'Clock P.M. for the purpose of allowing interested and concerned citizens an opportunity to be heard relative to a proposal to amend Blanding City Ordinance No. 1978-1 - Blanding City Zoning Map as follows:

Rezone from "O" to "R-2":

Beginning at a point 865.67 feet North of the South 1/4 corner of Section 22, Township 36 South, Range 22 East, SLB&M and running thence East 500 feet; thence South 422.67 feet; thence West 500 feet; thence North 422.67 feet to the point of beginning, containing 4.85 acres. (This is the site of the San Juan Nursing Home near 800 North 400 West.)

Rezone from "R-1" to "R-2":

Beginning at a point 865.67 feet North of the South 1/4 Corner of Section 22, Township 36 South, Range 22 East, SLB&M and running thence North 179.85 feet; thence North 89°10'00" East 502.95 feet; thence South 00°11'00" West 188.18 feet; thence West 500 feet to the point of beginning, containing 2.12 acres. (This parcel of land is immediately North of the San Juan Nursing Home.)

20. Mrs. Bonnie Purcell advised the Council that she was present for the purpose of obtaining factual information relative to the foregoing Public Hearing matter and that she would reserve statements on proposed amendments for the scheduled hearing.

21. Mr. Sylvan Johnson advised the Council that he had come prepared to make a statement relative to the subject of Item 19 above and that his statement would also be reserved for the scheduled hearing.

22. Mr. Norman Johnson expressed to the Council that subject to favorable action relative to Item 19 above, Energy Fuels Nuclear, Inc. is prepared to effect an exchange of land in the area to permit the development of a proposed small park and playground.

23. Mr. Stanley Bronson of Grayson Development Corporation presented for Council review the required criteria relative to the Corporations request of the City to market Industrial Revenue Bonds for funding their proposed shopping center.

Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried that the City approve and accept the aforescribed criteria subject only to the unqualified, legal opinion as to its validity and completeness by the City Attorney.

24. The Engineer advised the Council of some equipment problems encountered by the contractor at the Water Treatment Plant, resultant from manufacturers error, and the necessity for a time extension for equipment installation following necessary remedial action.

Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that Lamar D. Construction Company be allowed an extension of time to May 28, 1981 on the City Water Treatment Plant Modification project for completion of the sedimentation basin (with tube settlers, baffle wall and troughs), the flash mixer, both filters and valving installation; further that the final completion date for the total project be extended to June 11, 1981.

25. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the City approve Change Order No. 1 relative to the Water Treatment Plant Modification project to include the installation of chlorination equipment, increasing the project cost a total of \$8,389.00.

26. Mayor Gibbons appointed Mrs. Lynda Shumway a member of the City Planning Commission for a term from date hereof to and including February 1, 1985, which appointment was given the advise and consent of the Council, subject only to Mrs. Shumway's acceptance of the position.

27. Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the City authorize acceptance of \$300,000.00 of the San Juan County Water Conservancy District loan obligation with the Utah Board of Water Resources in accordance with the interest rates and repayment schedules negotiated between such agencies relative to the funding of the proposed Recapture Reservoir project, for the consideration of 500 acre feet of water storage in said reservoir; and further, that in the event the San Juan County Water Conservancy District rejects the foregoing offer, the City shall authorize application to the Utah Board of Water Resources for a loan of \$300,000.00 at a maximum annual interest rate of five percent (5%), said \$300,000.00 to be used to purchase 500 acre feet of storage in the proposed Recapture Reservoir, with the loan repayment schedule to run concurrently with that of the San Juan County Water Conservancy District for repayment of their Recapture Reservoir project loan.

28. Proposals for leasing pasture land adjacent to the Blanding Municipal Airport were opened, read aloud and duly tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Erwin Oliver	\$140.00
LaVar B. Lyman	\$132.50

Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that the City accept the foregoing proposal of Mr. Erwin Oliver for lease of pasture land adjacent to the Blanding Municipal Airport.

Meeting adjourned at 11:20 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MAY 27,
1981 AT 8:00 P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent were Councilmembers: Bruce N. Black
LaRue McDaniel

Also Present: Mr. Steven Bronson, Grayson Development Corporation; Mr. Stanley Howell.

1. Prayer was offered by the Engineer.
2. The following ordinance was read in full to the Council:

BLANDING CITY ORDINANCE
No. 1981-4

AN ORDINANCE PROVIDING THAT THERE BE NO PRIMARY ELECTION
AND THAT ELECTIVE OFFICES BE FILLED AT THE NOVEMBER MUNI-
CIPAL ELECTION.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation,
State of Utah, that:

Section I. The following is hereby adopted as Part 4-120 of the Code of re-
vised Ordinances of the City of Blanding:

PART 4-120.

- A. Pursuant to Section 2-5-10 (2), Utah Code Annotated, 1953, as amended, there shall be no primary election held during the election of municipal offices until such time as this ordinance is amended to provide otherwise.
- B. The election for all elective offices to be filled shall be held at the November municipal election.
- C. The provisions of all ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section II. In the opinion of the Blanding City Council, it is necessary to the peace, health and safety of the inhabitants of the City of Blanding, Utah, that this ordinance become effective immediately.

Section III. This ordinance shall take effect immediately upon posting.

PASSED BY THE CITY COUNCIL of the City of Blanding, Utah, this 27th day of May, 1981.

Mayor

ATTEST:

City Recorder

DATE OF POSTING:

5/27/81

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Motion for adoption of the foregoing ordinance was made by Councilman Hunt and seconded by Councilman Bradford, voting on the motion being as follows:

Those voting "aye": Councilman Bradford
 Councilman Hunt
 Councilman Lyman

Those voting "nay": None

Those absent: Councilman Black
 Councilman McDaniel

constituting all the members thereof.

WHEREUPON Mayor Gibbons declared the motion carried and Ordinance No. 1981-4 duly adopted and approved.

3. Minutes of City Council meeting held May 13, 1981 were approved.

4. The following letter was read in full to the Council:

Salt Lake City, Utah 84103
463 11th Avenue
May 26, 1981

Honorable DeLamar Gibbons
and Members of Blanding City Council
50 West 100 South
Blanding, Utah 84511

RE: Grayson Mall Corporation
Industrial Revenue Bond Opinion

Dear Mayor and Council Members:

I have reviewed the information, including the confidential financial statements, provided by Steven L. Bronson and Stanley W. Bronson, d/b/a Grayson Development. Such appears to comply in substance with the "Criteria and Procedures Regarding Consideration of Industrial Revenue Bond Applications" which the City previously adopted.

I have also reviewed the Inducement Resolution and accompanying Memorandum of Agreement prepared by the firm of Fox, Edwards & Gardiner. It is my opinion that these are also in compliance with the laws of this State and ordinances of the City.

In giving this opinion no judgement or opinion is meant to be given or implied as to the commercial feasibility of the Grayson Mall project.

Yours very truly,
S/ Grant A. Hurst
Blanding City Attorney

GAH/bjn
cc- Richard S. Fox, Esq.

Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Bradford and unanimously carried:

RESOLUTION NO. 1981-7

5. Mayor Gibbons reported to the Council, the presentation of Blanding City's proposal to the San Juan Water Conservancy District for participation in the Recapture Dam project, as authorized by Item No. 27 of the minutes of the May 13, 1981 Council meeting. He stated that the proposal appeared to be well received.
6. Mayor Gibbons advised the Council that the Shumway Artifacts Collection will be on display at the Edge of the Cedars Museum during the week of June 1 - 6, 1981 and that in support of the museum program he is officially proclaiming such period as Museum week.
7. Councilman Bradford advised the Council that although the City Master Plan is approximately 60 days behind schedule, those governmental functions requiring additional consideration are currently the subjects of study and negotiation which would necessitate immediate revision of the Master Plan if it should be adopted under current status.
8. Councilman Hunt advised that the Federal Aviation Administration is currently in process of installing a VASI guidance system at the Blanding Airport.
9. The following letter was read in full for the information of the Mayor and Council, by Councilman Lyman:

Grant A. Hurst
Attorney At Law
463 11th Avenue
Salt Lake City, Utah 84103
May 26, 1981

Mr. Bud Nielson
Blanding City Manager
50 West 100 South
Blanding, Utah 84511

RE: Municipal Officers' Ethics
Utah Code Annotated Sections 10-3-1301 through 10-3-1312

Dear Bud:

I recently obtained a copy of the above-referenced Act. I was also able to participate in a meeting in which it and other statutes affecting cities were discussed. To the surprise of everyone, the statute regarding municipal officers' ethics came out even more liberally than had been anticipated. Originally, and as set forth in my letter to you of approximately two weeks ago, it was thought that the Act provided for disclosure and included a prohibition against the interested officer participating in discussing the issue or voting on the issue. However, as passed the law allows, after disclosure by the municipal officer, that he or she may after disclosure by the municipal officer, that he or she may (a) bring the subject up; (b) participate in discussion; and (c) vote on the issue when presented to the Council.

The statement required to be filed must be filed ten days prior to the date of any agreement between the municipal officer and the business entity being assisted or ten days prior to receipt of compensation by the business entity in which the municipal officer has an interest. The statement is public information and shall contain the following information:

1. The name and address of the officer;
2. The name and address of the person or business entity being or to be assisted; and

3. A brief description of the transaction as to which service is rendered or is to be rendered and of the nature of the service performed or to be performed.

In addition, every municipal officer shall, if he owns a substantial interest in any business entity which is subject to the regulation of the municipality, disclose the position held and the precise nature and value of his interest in the business entity. This must be done by the municipal officer upon first becoming appointed or elected and again during January of each year thereafter during which he continues to be a municipal officer. The disclosure must be in a sworn statement filed with the Mayor. Note that this does not apply in instances where the value of the interest is less than \$2,000.

In addition, any municipal officer who has a substantial interest in any business entity which does or anticipates doing business with the municipality or who holds a personal investment which creates a substantial conflict between the person's personal interest and his public duties, must fully disclose to the governing body such interest and/or conflict by a sworn statement fully explaining the same.

If you wish I can provide a copy of this Act for you to be distributed to each officer of the City. Each officer/employee of the City should be fully aware of the provisions of this Act. A copy of this letter should be provided to each.

Please call me if you have any questions on it.

Yours very truly,
S/ Grant A. Hurst

GAH/bjn

10. The Engineer reminded those present of the Utah Water Resources Board meeting scheduled for Moab, Utah at 8:00 o'clock A.M. on Friday, June 5, 1981; and of the necessity for representation in support of the City request for water loan funds use revision.

11. Mayor Gibbons read excerpts from a letter from the Southeastern Utah Association of Governments indicating resignation of several staff members as well as staff assignment changes.

Meeting adjourned at 10:15 P.M.

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JUNE 10,
1981, AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were Councilmen Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
Councilwoman LaRue McDaniel

City Recorder: Francis D. Nielson
Assistant Administrator: Richard D. Laws

Absent: Mayor DeLamar Gibbons, M. D.
Councilman: Jon L. Hunt
City Engineer: Philip L. Palmer

Also Present were: Glenn A. Shumway; Patsy B. Shumway; Bonnie B. Purcell; Effie Brockmeier; Sylvan Johnson; Lynn A. Wright, Fire Chief; Marsha Keele.

The meeting was conducted under the direction of Councilman Francis M. Lyman, Mayor Pro Tempore.

1. Prayer was offered by Councilwoman McDaniel.
2. Minutes of May 27, 1981 were approved.
3. The following ordinance was read in full to the Council:

BLANDING CITY ORDINANCE
No. 1981-5

AN ORDINANCE DEFINING "HISTORIC BUILDING" FOR
PURPOSES OF THE BLANDING CITY ZONING ORDINANCE.

BE IT ORDAINED by the City Council of the City of Blanding, a Municipal Corporation, State of Utah, that:

Section I. The following is hereby adopted as Part 12-190.12 of the code of Revised Ordinances of the City of Blanding:

PART 12-190.12 HISTORIC BUILDING

Historic building, as used in this ordinance, shall mean any building listed in the National Register of Historic Places or on the Utah State Register of Historic Sites or so designated by resolution of the governing body.

Section II. In the opinion of the Blanding City Council, it is necessary to the peace, health, and safety of the inhabitants of the City of Blanding, Utah, that this ordinance become effective immediately.

Section III. This ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah this 10th day of June, 1981.

Mayor

ATTEST:

City Recorder

Date of Posting:

Motion for adoption of the foregoing ordinance was made by Councilman Bradford and seconded by Councilwoman McDaniel; voting on the motion being as follows:

Those voting "Aye": Councilman Black
Councilman Bradford
Councilman Lyman
Councilwoman McDaniel

Those voting "Nay": None

Those absent: Councilman Hunt
constituting all the members thereof.

WHEREUPON the motion was declared to have carried and Ordinance No. 1981-5 duly adopted and approved.

4. At the request of Councilman Black the Recorder reported that the City's petition to the Utah Water Resources Board for change in utilization of \$200,00.00 in loan funds from a proposed deep water well project to water collection system projects was approved at the meeting of said board held in Moab, Utah on June 5, 1981.

5. Following discussion of the water resource situation, motion was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried that restrictions on water use be rescinded effective Monday, June 15, 1981.

6. Councilman Bradford presented a petition relative to the re-zoning hearing held June 9, 1981 which he requested be included with the other information pertaining to such hearing.

7. The Council and others present discussed the following re-zoning proposal:

Rezone from "O" to "R-2":

Beginning at a point 865.67 feet North of the South $\frac{1}{4}$ Corner of Section 22, Township 36 South, Range 22 East, SLB&M and running thence East 500 feet; thence South 422.67 feet; thence West 500 feet; thence North 422.67 feet to the point of beginning, containing 4.85 acres. (This is the site of the San Juan Nursing Home near 800 North 400 West.)

Rezone from "R-1" to "R-2":

Beginning at a point 865.67 feet North of the South $\frac{1}{4}$ Corner of Section 22, Township 36 South, Range 22 East, SLB&M and running thence North 179.85 feet; thence North $80^{\circ}10'00''$ East 502.95 feet; thence South $00^{\circ}11'00''$ West 188.18 feet; thence West 500 feet to the point of beginning, containing 2.12 acres. (This parcel of land is immediately North of the San Juan Nursing Home.)

Motion was made by Councilman Bradford, seconded by Councilman Black and unanimously carried that:

1. The following described properties be rezoned from "O" to "R-2" and from "R-1" to "R-2", respectively:

Beginning at a point 865.67 feet North of the South $\frac{1}{4}$ Corner of Section 22, Township 36 South, Range 22 East, SLB&M and running thence East 500 feet; thence South 422.67 feet; thence West 500 Feet; thence North 422.67 feet to the point of beginning, containing 4.85 acres. (This is the site of the San Juan Nursing Home near 800 North 400 West.)

Beginning at a point 865.67 feet North of the South $\frac{1}{4}$ Corner of Section 22, Township 36 South, Range 22 East, SLB&M and running thence North 179.85 feet; thence North $80^{\circ}10'00''$ East 502.95 feet; thence South $00^{\circ}11'00''$ West 188.18 feet; thence West 500 feet to the point of beginning, containing 2.12 acres. (This parcel of land is immediately North of the San Juan Nursing Home.)

2. The City of Blanding offered to deed the above described property to San Juan County for the smallest legal fee, said deed to contain a covenant that the land may be used only for medical facilities development.
3. Should San Juan County choose not to use the land for the required purpose it shall be returned to the City of Blanding and returned to zoning status "R-1".

8. The Council discussed proposed park development including the possibility of utilizing San Juan School District land between 1st and 3rd West Streets and North of 7th North Street. The use of this property would be in lieu of the area East of the Zenos Black Career Education Center. The San Juan School District will obtain a plot plan of such proposed use from their architects, following which a decision on proceeding with planned park facilities development will be made.

9. Councilman Bradford advised the Council that the recently organized Drug-Alcohol Committee is holding regular meetings; that to date they have been of an educational nature; and that the next scheduled meeting will be on July 9, 1981 at which it is planned for the Utah State Director to be present.

10. The Council discussed with the Fire Chief the current fire fighting equipment status and need for additional equipment as well as housing for the same. The Fire Chief advised the Council of difficulties in getting firemen to respond to training sessions and suggested that firemen be compensated for training rather than responses to fires. The Council agreed that budgetary consideration should be given to the purchase of additional fire fighting equipment and housing for such equipment; that the matter of compensating firemen for drills and/or responses to fires should have total department personnel consideration prior to making a final decision.

The Council requested the Recorder discuss with Mr. Barton F. Lyman and Mr. Ray F. Lyman the possibility of purchasing their interests in and on Lot 3 Block 21, Blanding Townsite Survey, Plat A, for use by the Fire Department as well as possible future expansion of other City facilities.

11. Councilman Lyman presented the May 1981 Police Department Activity Report for filing and advised the Council that Sergeant Thomas Austin completed the Utah Peace Officers Standards and Training Academy course as second highest in the training class; that Patrolman Mark E. Ewart is scheduled to enter the said academy in July 1981; and that distinguished service rendered by Sergeant Austin possibly warrants salary increase consideration.

12. The following letter was read in full to the Council:

City of Blanding
50 West 1st South Street
Post Office Box 68
Blanding, Utah 84511
June 5, 1981

Mayor and City Council
City of Blanding
P. O. Box 68
Blanding, Utah 84511

RE: Planning Commission Action June 3, 1981
Zoning Ordinance Amendment

Dear Mayor and City Council:

At the regular meeting of the Planning Commission held June 3, 1981 the following proposed amendment to the Zoning Ordinance was approved by unanimous vote. The recommendation was that the City Council consider this amendment as to its wording and schedule a date for a Public Hearing regarding its adoption.

The Commission felt that this action was in response to an existing need and that they had encountered no one that voiced any objection to this proposed change. Being responsive to citizens needs and requests is an important part of public service.

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Mr. Palmer, the building official, has indicated to us that he didn't feel this type of conditional use would become a policing nightmare.

We remain happy to serve,
Blanding Planning Commission

Hugh P. Kirkham, P.E.
Chairman

PROPOSED AMENDMENT: That Sections 3.1.0 and 3.2.0 of the Zoning Ordinance be amended to include the following:

0-2 Mobile Homes. A maximum of one mobile home per building lot may be allowed for the use and occupancy of aged or handicapped family members of the owner or lessee of said lot or agent of either, and if such occupancy is deemed necessary to provide the needed care of said family member, and providing the following conditions are met:

1. Written consent to the issuance of the conditional use permit is given by 75% owners and residents which are within 350 feet of any point on the lot for which the conditional use is sought.
2. The City Council approve the issuance of the conditional use by resolution. The permit must be renewed every two years.
3. The set backs, lot size, height and lot coverage requirements of the zone district be fully complied with.
4. A minimum of 20 feet be maintained between the mobile home and any other structure.
5. The conditional use permit expire and the mobile home be removed when the need no longer exists.

Inasmuch as the foregoing proposed zoning change will require a public hearing, the Council deferred action on the matter in anticipation of it being included with other probable future zoning ordinance amendments also requiring the public hearing process.

13. The Council conducted a public hearing on possible expenditure of Federal Revenue Sharing Funds. Following discussion of the matter, there being no opposition from those present, the Council agreed that \$73,000.00 of Federal Revenue Sharing Funds shall be allocated for Fire Department Capital expenditures and \$806.78 be allocated to unappropriated reserve.

14. The Council discussed the proposed San Juan County Water Conservancy District Recapture Dam Project and concluded no further action can be taken on the matter "until the sons of Levi do offer again an offering unto the Lord in righteousness", or at least until the District responds to the City's proposal as stated in item 27 of the minutes of City Council meeting held May 13, 1981.

Meeting adjourned at 11:35 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JUNE 24,
1981 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Also present were: Eugene Edstrom, Blanding-Monticello Cable TV, Inc.; Wayne Unze, Eddie Peña, Marie Peña, Blue Mountain Cable TV; Marsha Keele, Deseret News-San Juan Record; Paul Peña of Blue Mountain Cable TV.

1. Prayer was offered by Mayor Gibbons.

2. Minutes of June 10, 1981 were approved.

3. Mr. Eugene Edstrom of Blanding-Monticello Cable TV, Inc., requested the Council consider the transfer of the Franchise granted his firm for development of Cable TV system in the City to Wayne Unse and Eddie Peña, et al, DBA Blue Mountain Cable TV.

Following discussion of the matter including the necessity for an extension of time for completion of the proposed system installation, motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried, that the City authorize the transfer of a Franchise for a Cable TV system installation within the City by Blanding-Monticello TV, Inc. to Blue Mountain Cable TV; and that the time limit for installation of required facilities under the terms of the said franchise be extended to December 31, 1981, subject only to obtaining of necessary, satisfactory character and credit references relative to ownership and management personnel of Blue Mountain Cable TV.

4. Mayor Gibbons reported that the San Juan County Medical Board has indicated it will not utilize City owned ground adjacent to the San Juan Nursing Home for development of medical facilities because of the location and insufficient acreage.

5. Councilman Bradford advised that he discussed possible City participation in the proposed Recapture Dam project with Norman Nielson and Tom Redd, Chairman and Secretary, respectively, of the San Juan Water Conservancy District; and that they stated the District would attempt to work out an agreement wherein Blanding City could avail of water impounded in the proposed reservoir.

6. Councilman Black reported that the upper ditch water had receded to .56 cu.ft. per second at 8:00 A.M. on June 23, 1981; that the Camp Jackson Reservoir water had been released into Johnson Creek and raised the ditch stream to 1.93 cu. ft. per second by evening of the same day.

7. The Engineer advised that Horrocks Engineers are proceeding with the design of the water collection system improvements and will be here on Friday, June 26, 1981 to discuss these projects.

8. Councilman Hunt inquired as to the possibility of getting some repair work done on City streets where the asphalt surfacing is breaking up. The Engineer advised that we need the assistance of San Juan County to effectively patch holes in streets and that little indication of cooperation has been shown to date.

9. The Engineer advised that the extended completion date of June 11, 1981 for the Water Treatment Plant improvements will have to again be extended due to unavailability of equipment. No request for extension of time has been received to date.

10. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that all regular employees of the City be granted a cost-of-living increase in salary of eleven percent (11%) effective July 1, 1981.

11. Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that the City adopt the following business license fee schedule for the Fiscal Year beginning July 1, 1981:

BUSINESS LICENSE FEE SCHEDULE

- | | |
|---|---------------|
| A. <u>Automotive Trades</u> | Fee - \$25.00 |
| Including Service Stations, garages, tires and recapping, trucking firms, used car dealers, parts and accessories, wholesale oil companies, etc. | |
| B. <u>Building Trades</u> | Fee - \$25.00 |
| Including lumber yards, hardware, cabinet shops, etc. | |
| C. <u>Drug Store</u> | Fee - \$50.00 |
| D. <u>Foods</u> | Fee - \$15.00 |
| Including bakery, cafe, dairy, frozen locker, etc. | |
| Except that a grocery store fee shall be \$25.00 or \$50.00 if more than six (6) employees. | |
| E. <u>Financial Establishments</u> | Fee - \$25.00 |
| Including banks, small loan business, etc. | |
| F. <u>Home Furnishings</u> | Fee - \$30.00 |
| Including furniture stores, carpet, appliance, etc. | |
| G. <u>Industrial, Livestock, and Agriculture</u> | Fee - \$30.00 |
| Including implements, foundry, milling, salvage, etc. | |
| Except, that coal dealer fee shall be \$25.00 | |
| H. <u>Personal Service</u> | Fee - \$15.00 |
| Including assayers, accountants, barber, beauticians, chiropractors, dentists, dry cleaners, florists, laundries, lawyers, morticians, opticians, photo shops, physicians and surgeons, engineers, real estate salesman, taxis, soft water service, veterinarians, etc. | |
| I. <u>Recreation</u> | Fee - \$25.00 |
| Including bicycle shop, theater, dance studios, skating rink, etc. | |
| Except that a circus or carnival shall be a fee of \$10.00 per ride or side show. | |
| Except that a bowling alley be \$10.00 per lane. | |
| Except that a billiard parlor be \$15.00 per table. | |
| Except that pin ball machines be \$15.00 per machine. | |
| Except that a dance hall for profit be \$100.00 | |

J. Wearing Apparel

Fee - \$30.00

Including ready to wear, shoes, dry goods, etc.

Except that a jewelry store fee shall be \$50.00.

K. Other

Fee - \$15.00

Including auctioneer, rest home, sporting goods, propane gas dealer, TV Sales, machine shop, sheet metal shop, furnace cleaning, collection agency, nurseries, fruit stands, book stores, printing, etc.

Except that cosmetic salesman fee shall be \$50.00

Except that Motel and Hotel fee shall be \$50.00

Except that vending business shall be a fee of \$15.00 plus \$5.00 for each machine. Total not to exceed \$50.00.

- L. The license fee for all other businesses that do not logically fit one of the categories shall be \$15.00.

12. Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1981-7

A RESOLUTION PROVIDING FOR THE APPROPRIATION
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING
DURING THE FISCAL YEAR ENDING JUNE 30, 1982.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding during the fiscal year ending June 30, 1982, the following amounts from the respective funds and for the purpose shown:

City of Blanding1982

<u>REVENUE:</u>	<u>OPERATING BUDGET</u>	Current	Ensuing Year
	Actual	Year	Approved Budget
	1980	Estimates	appropriation
General property tax - current	84,415.28	91,755.00	100,855.00
General sales & Use Taxes	60,604.90	134,903.00	120,000.00
Business Licenses & Permits	600.00	645.00	2,225.00
Buildings, structures & Equipment	5,402.00	4,020.00	3,200.00
Motor vehicle operation (Bicycle)	15.00	8.00	8.00
Federal shared revenue	19,603.00	22,509.00	17,991.00
State grants	5,000.00	4,250.00	
Class "C" road fund allotment	14,959.12	15,775.00	11,600.00
Collector road fund allotment	6,847.68	21,625.00	
State liquor fund allotment		4,078.26	11,200.00
Grants from local units	6,500.65	4,805.25	50,000.00
Reimbursement - Administrative Costs	11,297.23	27,545.00	30,575.00
Street, sidewalk & Curb repair		4,500.00	5,400.00
Cemeteries - Lot Sales	1,360.00	480.00	500.00
Miscellaneous	384.85	441.00	450.00
Fines	14,221.32	11,200.00	12,500.00
Interest	2,969.09	3,800.00	4,800.00

<u>Revenues, cont.</u>	<u>Actual 1980</u>	<u>Current Year Estimates</u>	<u>Ensuing Year Approved Budget Appropriation</u>
Sale of fixed assets - compensation	1,628.08	450.00	
Sale of materials & supplies	439.66	150.00	150.00
Contributions from other funds	25,764.03	27,500.00	30,000.00
Recurring transfers from other funds	222.67	3,010.00	
Contribution class "C" road surplus	39,932.03	42,483.94	8,071.93
Contribution collector road surplus	6,679.70	14,148.22	3,112.39
Contributions general fund surplus	71,368.23	22,113.11	106,459.19
Taxes, Ret. Funds, Ins. Prem. Withheld	27,121.52	33,104.00	36,000.00
TOTAL REVENUE	407,336.04	495,298.78	555,097.51

EXPENDITURES

Board of commissioners	2,196.46	850.00	1,750.00
City & precinct courts	4,795.80	4,320.00	4,800.00
Recorder	23,286.88	29,747.00	31,838.00
Attorney	5,552.63	6,288.00	6,300.00
Engineer	28,144.16	31,637.00	35,117.00
Non departmental	870.00	925.00	925.00
Elections	1,077.39	45.00	1,200.00
Planning & Zoning	11.66	750.00*	1,250.00
Education & community prom.			1,250.00
Law enforcement	83,915.40	109,337.45	112,557.00
Fire department	6,486.81	4,260.00	70,156.78
Protective inspection	50.00	50.00	50.00
Streets & Highways	50,683.13	67,555.00	57,739.23
Class "C" Road	13,744.19	7,418.00	61,800.00
Collector Road			46,400.00
Recreation & culture	1,179.76	71,961.55	40,000.00
Contributions to other funds	3,917.69	14,714.00	
Taxes, Ret. Funds, Ins. Prem. Remitted	26,590.68	33,104.00	36,000.00
Transferred to Bond Red. & Int. Fund	43,877.00	42,424.50	45,964.50
Excess or revenue over expenditures	110,956.40	69,912.28	
TOTAL EXPENDITURES	407,336.04	495,298.78	555,097.51

CLASS "C" ROAD FUND

<u>REVENUE:</u>	<u>Revenues & Expenditures</u>		<u>Budget</u>
	<u>Actual 1980</u>	<u>Estimated 1981</u>	<u>Estimated 1982</u>
Class "C" road fund allotment	14,959.12	15,775.00	11,000.00
Interest earnings	1,336.98	3,530.99	4,500.00
TOTAL REVENUES	16,296.10	19,305.99	15,500.00
Beginning balance-Unapprop. surplus	39,932.03	42,483.94	54,371.93
TOTAL AVAILABLE FOR APPROPRIATION	56,228.13	61,789.93	69,871.93
<u>EXPENDITURES:</u>			
Road maintenance	13,744.19		19,200.00
New road construction		7,418.00	42,600.00
TOTAL EXPENDITURES	13,744.19	7,418.00	61,800.00
Ending balance-unapprop. surplus	42,483.94	54,371.93	8,071.93
TOTAL EXPENDITURES & ENDING BALANCE	56,228.13	61,789.93	69,871.93

COLLECTOR ROAD FUND

	Actual 1980	Estimated 1981	Budget Estimates 1982
<u>REVENUES:</u>			
Collector road allotment	6,847.68	18,522.19	11,500.00
Interest earnings	620.84	1,602.48	3,740.00
TOTAL REVENUES	7,468.52	20,124.67	15,240.00
Beginning balance-unapprop. surplus	6,679.70	14,148.22	34,272.89
TOTAL AVAILABLE FOR APPROPRIATION	14,148.22	34,272.89	49,512.89
<u>EXPENDITURES:</u>			
New road construction			46,400.00
TOTAL EXPENDITURES			46,400.00
Ending balance-unappropriated surplus	14,148.22	34,272.89	3,112.89
TOTAL EXPENDITURES & ENDING BALANCE	14,148.22	34,272.89	49,512.89

BOND REDEMPTION AND INTEREST FUND

	Actual 1980	Estimated 1981	Budget Estimates 1982
<u>REVENUES:</u>			
Current year property taxes	43,877.00	42,424.50	45,964.50
TOTAL REVENUES	43,877.00	42,424.50	45,964.50
TOTAL AVAILABLE	43,877.00	42,424.50	45,964.50
<u>EXPENDITURES:</u>			
Retirement of bonds	27,000.00	27,000.00	32,000.00
Interest on bonds	16,712.50	15,260.00	13,800.00
Paying Agents Fee	164.50	164.50	164.50
TOTAL EXPENDITURES	43,877.00	42,424.50	45,964.50
TOTAL EXPENDITURES & ENDING BALANCE	43,877.00	42,424.50	45,964.50

WASTE COLLECTION

	Actual 1980	Estimated 1981	Budget Estimates 1982
<u>REVENUES:</u>			
Service Fees	34,410.00	46,055.00	46,320.00
Delinquent Penalties	424.80	414.00	450.00
Discounts allowed	(218.25)	(273.00)	(250.00)
Uncollectable Accounts Allowance	12.00	180.00	60.00
Contributions From General Fund			12,630.00
TOTAL CASH RECEIPTS	34,628.55	46,376.00	59,210.00
TOTAL AVAILABLE FOR DISBURSEMENT	34,628.55	46,376.00	59,210.00
<u>EXPENDITURES:</u>			
Salaries and Wages	21,300.00	23,660.00	26,520.00
Employee Benefits	7,327.57	7,836.00	8,750.00
Office Expense	125.65	190.00	1,080.00
Equipment, Maintenance & Operating Supplies	4,587.93	10,105.00	6,300.00
Insurance and Surety Bonds	1,052.73	1,395.00	1,500.00
Uncollectable Accounts	12.00	180.00	60.00
Equipment Lease			15,000.00
TOTAL CASH DISBURSEMENTS	34,405.88	43,366.00	59,210.00
Ending Cash Balance to General Fund	222.67	3,010.00	
TOTAL DISBURSEMENTS & ENDING CASH BAL	34,628.55	46,376.00	59,210.00

AIRPORT FUNDREVENUES:

Gasoline Taxes	2,896.14	2,996.00	4,400.00
Land Lease	357.00	150.00	150.00
Hangar Rentals	1,000.00	2,250.00	- - - -
Earned Interest	113.36	115.50	125.00
Contributions From Other Funds	3,917.69	4,944.10	- - - -
Tie-down Fees			1,600.00
TOTAL CASH RECEIPTS	8,284.19	10,455.60	6,275.00
TOTAL AVAILABLE FOR DISBURSEMENT	8,284.19	10,455.60	6,275.00

EXPENDITURES:

Salaries and Wages	1,800.00	1,050.00	- - - -
Employee Benefits	361.85	305.00	- - - -
Printing and Advertising	19.20	28.00	240.00
Subscriptions and Memberships	5.00	5.00	5.00
Equipment, Maintenance & Operating Supplies	4,378.18	4,586.00	1,600.00
Bldg & Grnds, Maintenance & Operating Supp	191.84	142.00	450.00
Professional & Technical Services	553.00	3,062.60	- - - -
Insurance	633.68	775.00	775.00
Office Expense & Telephone	341.44	502.00	502.00
TOTAL CASH DISBURSEMENTS	8,284.19	10,455.60	3,572.00
Transfers to General Fund			2,703.00
ENDING CASH BALANCE & TOTAL DISB.	8,284.19	10,455.60	6,275.00

ELECTRIC, WATER & SEWER SYSTEMS
Cash Budget
Fiscal Year 1982

<u>REVENUES:</u>	Actual F. Y. 1980	3 Mos Estimated F.Y. 1981	Estimated F.Y. 1982
Sales and Services:			
Electric System	731,487.95	807,554.00	896,386.00
Water System	110,719.11	111,744.00	172,000.00
Sewer System	31,915.00	32,374.00	33,990.00
Delinquent Account Penalties:			
Electric System	5,996.47	4,830.00	5,361.00
Water System	1,214.37	1,305.00	1,448.00
Sewer System	394.07	326.00	362.00
Service Connections:			
Electric System	15,898.46	26,315.00	18,420.00
Water System	11,418.00	8,990.00	6,300.00
Sewer System	7,036.00	14,080.00	5,600.00
Sales of Materials and Supplies:	- - - - -	- - - - -	- - - - -
Federal and State Grants:			
CETA Grant	- - - - -	5,875.00	1,473.00
Fire Hydrant Use Charges:			
Water System	1,588.00	1,708.00	1,828.00
Property Rent:			
Electric System	2,760.00	3,036.00	3,300.00
Sewer System	25.00	225.00	- - - - -
TOTAL OPERATING REVENUE	\$920,452.43	\$1,018,362.00	\$1,149,468.00

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DEDUCT:

Operating Charges:

Discounts and Allowances:

Electric System	211.51	138.00	220.00
Water System	226.15	417.00	463.00
Sewer System	150.60	189.00	210.00

Sales Tax Collections Included

in Gross Receipts:

Electric System	16,190.21	16,705.00	18,555.00
Total Deductions	16,778.47	17,449.00	19,448.00
Operating Income	\$903,673.96	\$1,000,913.00	\$1,130,020.00

ADD:

Other Income:

Earned Interest	21,115.52	23,676.00	18,210.00
Total Income	\$924,789.48	\$1,024,589.00	\$1,148,230.00

EXPENDITURES:

Operating Expenses:

Salaries and Wages	41,087.00	64,358.00	70,158.00
Employee Benefits	12,048.00	17,408.00	21,047.00
Printing & Advertising;			
Ordinances & Publications	191.65	177.48	360.00
Travel	209.00	140.00	210.00
Office Expense and Supplies	2,794.65	4,732.44	5,800.00
Equipment & Facilities Maintenance			
and Operating Supplies	51,939.50	57,300.10	61,311.00
Building and Grounds Maintenance			
and Operating Supplies	3,694.34	16,282.45	8,250.00
Telephone	1,079.53	2,223.87	2,400.00
Professional and Technical Services	15,959.25	50,767.66	27,500.00
Special Departmental Supplies;			
Resale Power Purchases	560,564.88	582,243.00	646,289.00
Insurance and Surety Bonds	3,130.67	5,246.53	5,775.00
Uncollectible Account Charges	835.32	3,370.15	3,600.00
Total Operating Expenses	\$693,533.89	\$804,249.68	\$852,700.00

Net Income Available For Debt Retirement	\$231,255.59	\$220,339.32	\$295,530.00
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DEDUCT:

Bond Debt Service Payments Interest	13,514.00	11,305.00	9,155.00
Bond Principal Indebtedness Retired	39,000.00	41,000.00	24,000.00

BALANCE - In Excess of Debt Service and
Redemption Requirements Available For
Increase in Municipal Equity

\$178,741.59	\$168,034.32	\$262,375.00
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LESS: Periodic Depreciation Charges
Representative of Economic Deminution
in Fixed Assets

82,529.36	85,912.00	89,434.00
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Net Increase In Municipal Equity In
Excess of Bond Principal Indebtedness
Retired

\$ 96,212.23	\$ 82,122.32	\$172,941.00
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ELECTRIC, WATER & SEWER SYSTEMS
Capital Improvements Budget
Fiscal Year 1982

REVENUES:

Funds on Hand:

Accumulated Surplus:

Electric, Water & Sewer Investment Fund	\$ 53,300.00
Electric, Water & Sewer Operating Fund	50,000.00
Total Funds on Hand	<u>\$ 103,300.00</u>

Grant Funds:

Energy Impact Board - Sewer System Grant	158,550.00
Energy Impact Board - Water System Grant (applied for)	363,000.00
Earned Interest (Above Funds)	44,590.00
Federal Revenue Sharing Funds	- - - - -
Environmental Protection Agency (Sewer)	945,525.00
Farmers Home Administration - 601 (Sewer Lagoon Land)	45,000.00
Total Grant Funds	<u>\$1,556,665.00</u>

Bond Funds:

Water Resources Board	200,000.00
Farmers Home Administration Loan	255,000.00
Total Bond Funds	<u>\$ 455,000.00</u>

Connection Fee Credit Agreement:

Energy Fuels Nuclear, Inc.	80,000.00
Total Capital Funds	<u>\$2,194,965.00</u>

EXPENDITURES:

Water System:

Tunnel & Johnson Creek Inlet Works	\$ 115,000.00
Upper Ditch Enlargement	25,000.00
Starvation Reservoir	360,000.00
Camp Jackson Reservoir	20,000.00
Distribution System Improvements	381,265.00
Total Water System	<u>\$ 901,265.00</u>

Sewer System:

120 Day Detention Lagoons - Land Application Treatment Facilities	\$1,260,700.00
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Electric System:

Northeast Section Changeover to 12000/7200 volts	33,000.00
Total Expenditures	<u>\$2,194,965.00</u>

PASSED, ADOPTED and APPROVED this 24th day of June, 1981.

DeLamar Gibbons, M. D.
Mayor

ATTEST:

Francis D. Nielson
Recorder

Meeting adjourned at 10:40 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JULY 8, 1981 AT 8:00 O'CLOCK P.M.
IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws
Absent was Councilman Francis M. Lyman

Also present was Mrs. Marsha Keele

1. Prayer was offered by Councilman Bradford.
2. Minutes of City Council meeting held June 24, 1981 were approved.
3. Councilman Black introduced the following resolution, which was thereupon read in full and is as follows:

RESOLUTION NO. 1981-9

A RESOLUTION AMENDING RESOLUTION NO. 1980-6, ADOPTED AND APPROVED ON MAY 14, 1980, ENTITLED; "A RESOLUTION CONCERNING THE JOINT ELECTRIC, WATER AND SEWER SYSTEM OF THE CITY OF BLANDING, UTAH: PROVIDING FOR THE ISSUANCE AND SALE OF JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$200,000.00 (TO BE EVIDENCED BY A SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND IN THE AMOUNT OF \$200,000.00); PROVIDING OTHER DETAILS RELATING THERETO: RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH: AND REPEALING ALL ACTION IN CONFLICT HEREWITH:" SO AS TO CHANGE THE MATURITY SCHEDULE OF THE BONDS AUTHORIZED THEREIN: PROVIDING OTHER DETAILS RELATING THERETO: RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH: AND REPEALING ALL ACTION IN CONFLICT HEREWITH.

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City to issue its bonds for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line (herein the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose; and

WHEREAS, at a special bond election held in the City on the 27th day of November, 1979, a majority of the qualified electors approved a proposal to authorize the City Council of the City (herein the "Council"), to issue and sell revenue bonds in the aggregate amount of \$250,000.00, or so much thereof as may be necessary, in one or more series, and to mature in not more than twenty (20) years from their date or dates, for the Project, the question of the issuance of such bonds being in the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000.00, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

; and

WHEREAS, the Council has not previously issued any of said bonds authorized at said November 27, 1979 election; and

WHEREAS, on May 14, 1980, by Resolution No. 1980-6, the City authorized the issuance of a portion of the bonds authorized at said election, e.e., its "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980," in the aggregate principal amount of \$200,000 (the bonds authorized by said Resolution No. 1980-6, as amended by this resolution, whether evidenced by serial coupon bonds or by a single registered bond in the denomination of \$200,000 are herein the "1980 Bonds" or "bonds"); and

WHEREAS, because of unanticipated delays, none of the bonds authorized by said Resolution No. 1980-6 have been issued; and

WHEREAS, in order to now deliver the bonds authorized by said Resolution No. 1980-6, it is necessary and in the best interests of the City to amend said Resolution No. 1980-6 so as to change the maturity schedule of the bonds therein authorized and to provide other details in connection with said bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, UTAH:

Section 1. Amendment. Sections 5, 6, 14, 16, 17 and 39 of Resolution No. 1980-6, adopted and approved on May 14, 1980 be, and the same hereby are amended to read as follows:

"Section 5. Bond Details. The bonds shall be issued payable to bearer, dated the date of delivery, consisting of 40 bonds in the denomination of \$5,000 each, numbered consecutively in regular numerical order from 1 through 40, bearing no interest, the bonds being numbered and maturing serially in regular numerical order on the first day of April in each of the designated amounts and years, as follows:

<u>Bond Numbers</u> <u>(All Inclusive)</u>	<u>Amounts</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1982
2	5,000	1983
3	5,000	1984
4	5,000	1985
5	5,000	1986
6	5,000	1987
7 - 10	20,000	1988
11 - 16	30,000	1989
17 - 22	30,000	1990
23 - 28	30,000	1991
29 - 34	30,000	1992
35 - 40	30,000	1993

The principal of the bonds (such principal of the bonds being herein sometimes designated as the "Bond Requirements") shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges at the Zions First National Bank, Salt Lake City, Utah (herein "Paying Agent"). Any registered single bond issued as hereafter provided shall mature in installments in the amounts and on the dates set forth above, and the principal installments thereof shall be paid by check mailed to the registered owner thereof as shown on the registration books of the City, provided, however, that the final installment of principal shall be paid only upon presentation and surrender of such single bond at the Paying Agent when it becomes due.

"Section 6. Prior Redemption. All of the bonds shall be subject to redemption prior to their respective maturities, at the option of the City, in whole or in part, in inverse numerical order, on April 1, 1982, or on any principal payment date thereafter, at a price equal to the principal amount of each bond so redeemed. Notice of redemption shall be given by the City Treasurer, in the name of the City, by publication of such notice at least once, not less than thirty days prior to the redemption date, in a newspaper of general circulation in the City, and a copy of such notice shall be sent by registered mail, at least thirty days prior to the redemption date (a) to the Purchaser, and (b) to the Paying Agent. Such notice shall specify the number or number of bonds to be so redeemed (if less than all are to be redeemed) and the date fixed for redemption, and shall further state that on such redemption date there will become and be due and payable upon each bond so to be redeemed at the Paying Agent the principal amount thereof. Notice having been given in the manner hereinbefore provided, the bond or bonds so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, the City will pay the bond or bonds so called for redemption. In the case of any registered single bond, installments of principal shall be subject to prepayment as if evidenced by the above designated bonds in the denomination of \$5,000 each.

"Section 14. Form of Bonds. The bonds, including the indebtedness certificate to be endorsed thereon and the registration panel thereon, shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF UTAH
COUNTY OF SAN JUAN

CITY OF BLANDING

JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND SERIES APRIL 1, 1980

No. _____

\$5,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the bearer hereof, solely from the special funds provided therefor, as hereinafter set forth, on the first day of April, 19____, the principal sum of

FIVE THOUSAND DOLLARS

The principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) is payable in lawful money of the United States of America, without deduction for exchange or collection charges, at the Zions First National Bank, Salt Lake City, Utah, upon presentation and surrender of this bond when it becomes due.

All bonds of the series of which this bond is a part (herein the "1980 Bonds" or merely the "bonds") are subject to prior redemption in inverse numerical order, at the option of the City, on the first day of April, 1982, or on any April 1 thereafter, at a price equal to the principal amount thereof. Redemption shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system" or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of the 1980 Bonds shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980 (as amended by Resolution No. 1981-0, passed and approved on July 8, 1981 (as amended, the "Resolution")), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined

as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of the bonds of the series of which this is one, and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of the 1980 Bonds, reference is made to the Resolution. The 1980 Bonds are equitably and ratably secured by a lien on the net revenues of the system and such bonds constitute, subject only and subordinate to the prior lien of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to the series of which this is one, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of the 1980 Bonds, in accordance with the provisions of the Resolution.

The 1980 Bonds are issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of the 1980 Bonds, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of the bonds, the nature and extent of the security, the terms and conditions on which the bonds are to be issued, the rights, duties and obligations of the City, and the rights of any holder of the bonds.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is one of a duly authorized series of 40 bonds in the aggregate principal amount of \$200,000 for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

The 1980 Bonds are issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of the 1980 Bonds, and its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on the 1980 Bonds and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond may be registered in the name of the holder subject to the terms and conditions set forth in the Resolution, and, unless so registered, this bond shall be transferable by delivery. This bond may be registered only as to principal. If this bond is registered it may be reconverted into a bond payable to bearer as provided in the Resolution.

Subject to the provisions for registration, this bond is subject to the conditions, and every holder hereof by accepting the same agrees with the obligor and every subsequent holder hereof, that (a) the delivery of this bond to any transferee shall vest title in this bond in such transferee to the same extent for all purposes as would the delivery under like circumstances of any negotiable instrument payable to bearer; (b) the obligor and any agent of the obligor may treat the bearer of this bond as the absolute owner hereof for all purposes, and shall not be affected by any notice to the contrary; (c) the principal of this bond shall be paid, and this bond is transferable, free from and without regard to any equities between the obligor and the original or any intermediate holder hereof, or any setoffs or cross claims; and (d) the surrender to the obligor or any agent of the obligor of this bond shall be a good discharge to the obligor for the same.

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It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed, and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; and has caused the corporate seal to be hereto affixed, all as of the date of delivery hereof which is _____, 1981

Mayor, City of Blanding
County of San Juan, State of Utah

Countersigned:

City Treasurer, City of Blanding
County of San Juan, State of Utah

(SEAL)
ATTEST:

City Recorder, City of Blanding
County of San Juan, State of Utah

(End of Form of Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of _____, 1981.

City Recorder and Ex Officio City Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Bond)

PROVISION FOR REGISTRATION AND RECONVERSION

This bond may be registered only as to both principal and interest on the books of the City, kept by the City Recorder as Registrar. Upon presentation hereof, the Registrar shall note such registration on such books and in the registration blank below. After registration this bond may be transferred by the registered owner or his legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said books and endorsed hereon. The principal of and interest on this bond, if registered, shall be payable only to, or upon the order of, the registered owner or his legal representative.

This bond, if registered, may be converted into a bearer bond, upon presentation to the Registrar, accompanied by an instrument duly executed by the registered owner, or his legal representative, in form satisfactory to the Registrar. In such case, the Registrar shall note below that this bond is payable to bearer. Such bearer bond may again be registered as provided above.

Every privilege of registration, transfer, discharge from registration, or conversion shall be exercised only in accordance with the authorizing resolution and such reasonable rules and regulations as the Registrar may prescribe.

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The registration books shall be closed for 15 days prior to any principal payment date.

Date of
Registration

Name of
Registered Owner

Signature of
Registrar

(End of Form of Registration Panel on Back of Bond)

"Section 16. Form of Single Bond. The single Bond, including the indebtedness certificate to be endorsed thereon, the registration panel thereon and the form of assignment therefor, shall be in substantially the following form:

(Form of Single Bond)

UNITED STATES OF AMERICA
STATE OF UTAH
COUNTY OF SAN JUAN

CITY OF BLANDING
SINGLE REGISTERED JOIN ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND SERIES
SERIES APRIL 1, 1980

No. R-1

\$200,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the registered owner hereof, solely from the special funds provided therefor, as hereinafter set forth, the principal sum above stated on April 1 in the years and installments as follows:

<u>Years Maturing</u>	<u>Amounts Maturing</u>
1982	\$ 5,000
1983	5,000
1984	5,000
1985	5,000
1986	5,000
1987	5,000
1988	20,000
1989	30,000
1990	30,000
1991	30,000
1992	30,000
1993	30,000

Installments of principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) are payable in lawful money of the United States of America, without deduction for exchange or collection charges, by check mailed to the registered owner hereof as shown on the books of the City; however, the final payment of this bond is payable only upon presentation and surrender of this bond when it becomes due at the Zions First National Bank, Salt Lake City, Utah.

All installments of principal on this bond are subject to payment prior to their stated due date in inverse order of maturity, at the option of the City, on the first day of April, 1982, or on any April 1 thereafter, in multiples of \$5,000. Such prepayments shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system" or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of this Bond shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980, (as amended by Resolution No. 1981-9, passed and approved on the 8th day of July, 1981 (as amended, the "Resolution")), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of this bond and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of this bond, reference is made to the Resolution. This bond is secured by a lien on the net revenues of the system and constitutes, subject only and subordinate to the prior lien of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to this bond, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon a parity with the lien of this bond, in accordance with the provisions of the Resolution.

This bond is issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of this bond, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of this bond, the nature and extent of the security, the terms and conditions on which this bond is to be issued, the rights, duties and obligations of the City, and the rights of any holder of this bond.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is a duly authorized bond for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

This bond is issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of this bond, and its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on this bond and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond is transferable only upon books kept by the Recorder of the City as bond registrar by the registered owner hereof in person or by his duly authorized attorney, and similarly noted hereon, or it may be surrendered in exchange for new bonds of the same aggregate principal amount, in bearer form or in serial registered

form, in the denomination of \$5,000 each, to the extent practicable and consistent with the maturity schedule provided in, and subject to, the conditions set forth in the Resolution.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; has caused the corporate seal to be hereto affixed, all as of the date of delivery hereof which is _____, 1981.

Mayor, City of Blanding, County of
San Juan, State of Utah

Countersigned:

City Treasurer, City of Blanding,
County of San Juan, State of Utah

(SEAL)

ATTEST:

City Recorder, City of Blanding,
County of San Juan, State of Utah

(End of Form of Single Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of _____, 1981.

City Recorder and Ex Officio
City Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Single Bond)

MANDATORY REGISTRATION FOR PAYMENT AS TO PRINCIPAL

The within single bond is registered in the office of the Recorder of the City of Blanding, San Juan County, Utah, as Registrar, in the name of the last owner listed below; and the principal amount of the bond shall be payable only to such owner, all in accordance with the resolution of the City authorizing the bond's issuance.

Date of Registration	Name of Owner	Address of Owner	Signature of Registrar
	State of Utah Board of Water Resources	231 East 400 South Salt Lake City, Utah 84111	

(End of Form of Registration Panel)

(Form of Assignment Panel on Back of Single Bond)

ASSIGNMENT PROVISION

For value received, _____ hereby assign and transfer unto _____ the within bond, together with accrued interest thereon, hereby irrevocably constituting and appointing _____ attorney to transfer this bond on the books of the City of Blanding at the office of the Recorder of the City with full power of substitution in the premises.

Dated: _____

(End of Form of Assignment Panel)

"Section 17. Period of Project's Usefulness. It is hereby determined and recited that the period of usefulness of the facilities to be acquired with the proceeds of the bonds herein authorized is not less than 13 years from April 1, 1980.

"Section 39. Publication of Notice of Bonds to be Issued. Pursuant to Section 11-14-21 (2), UCA, 1943, as amended, the City Recorder is hereby authorized and directed to publish a notice of bonds to be issued in the San Juan Record, the legal newspaper of the City, which is in general circulation therein (there being no newspaper published in the City) by at least one insertion in said newspaper. Said notice shall be in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

City of Blanding, Utah

NOTICE IS HEREBY GIVEN pursuant to Section 11-14-21, Utah Code Annotated, 1953, that the City of Blanding will issue its bonds described as the "City of Blanding, Utah, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1980" which may be evidenced by a single registered bond (such bonds, whether evidenced by 40 \$5,000 denomination bonds or by a single registered \$200,000 denomination bond, are herein referred to as the "Bonds").

The issuer of the Bonds is the City of Blanding, Utah. The Bonds are being issued for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station and a water transmission line, and all costs incident to the authorization and issuance of Bonds. The Bonds shall be revenue bonds payable solely from the net revenues of the City's joint electric, water and sewer system. The Bonds shall be dated as of the date of delivery, shall be evidenced by a single registered bond in the denomination of \$200,000, payable in installments of principal of \$5,000 per year on April 1, in each of the years 1982 to 1987 inclusive, \$20,000 on April 1, 1988, and \$30,000 per year in each of the years 1989 to 1993 inclusive; however, such single bond may be exchanged for negotiable bearer bonds or registered bonds, in the denomination of \$5,000 each, in an aggregate principal equal to the amount of unpaid principal installments on such single bond, numbered and maturing on April 1 in each of the designated years in the amounts as follows:

<u>Bond Numbers</u> <u>(All Inclusive)</u>	<u>Principal</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1982
2	5,000	1983
3	5,000	1984
4	5,000	1985
5	5,000	1986
6	5,000	1987
7 - 10	20,000	1988
11 - 16	30,000	1989
17 - 22	30,000	1990
23 - 28	30,000	1991
29 - 34	30,000	1992
35 - 40	30,000	1993

The Bonds shall not bear any interest. The Bonds are being purchased for their par amount (i.e., \$200,000) with no discount and no premium. No Deposit has been made by the Purchaser of the Bonds. The Purchaser of all of the Bonds is the State of Utah, acting by and through the Board of Water Resources.

Copies of the Resolutions of the City authorizing the Bonds, (i.e., Resolution No. 1980-6, as amended and supplemented by Resolution 1981-9) and other proceedings pertaining thereto may be examined at the office of the City Recorder between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday (i.e., during regular business hours of the City). Such copies shall be available for inspection at least until August ____, 1981 (i.e., 30 days following the publication of this Notice.)

(End of Notice)"

Section 2. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation:

- A. Printing Bonds. The printing of the bonds, and
- B. Final Certificates. The execution of such certificates may be reasonably required by the Purchaser, relating, inter alia, to the signing of the bonds, the tenure and identity of the officials of the Council and of the City, the delivery of the bonds, the receipt of the bond purchase price, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof, and also relating to the absence and existence of factors affecting the status of the bonds under section 103 (c) of the Internal Revenue Code of 1954.

Section 3. Privilege of Amendments. This resolution may be amended or supplemented by instruments adopted by the Council in accordance with the laws of the State, without receipt by the City of any additional consideration, but with the written consent of the holders of 66% in aggregate principal amount of the bonds authorized by Resolution 1980-6 as amended by this Resolution and outstanding at the time of the adoption of such amendatory or supplemental instrument (not including in any case any bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the bonds herein authorized if such refunding securities are not owned by the City).

Section 4. Limitations upon Amendments. No such instrument shall have the effect of permitting, without the consent of the holders of 100% in aggregate principal amount of the 1980 Bonds outstanding at the time of the adoption of such instrument:

- A. A change in the maturity or in the terms of redemption of the principal of any outstanding bond; or
- B. A reduction in the principal amount of any bond, without the consent of the holder of the bonds; or
- C. The creation of a lien upon or a pledge of revenues ranking prior to the lien or to the pledge created by this resolution; or
- D. A reduction of the principal amount or percentages or otherwise affecting the description of bonds, the consent of the holders of which is required for any such modification or amendment; or
- E. The establishment of priorities as between bonds issued and outstanding under the provisions of this resolution; or
- F. The modification of or otherwise affecting the rights of the holders of less than all of the bonds then outstanding.

Section 5. Resolution Irrepealable. The provisions of this resolution shall constitute an irrevocable contract between the City and the holder or holders of the 1980 Bonds. After the issuance of any of the 1980 Bonds, this resolution shall be and remain irrepealable, and no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner, except as

provided in Sections 3 and 4 of this resolution, until such time as all of the Bond Requirements of the 1980 Bonds (as defined in Resolution No. 1980-6 as amended hereby) shall have been paid in full, cancelled and discharged, as provided in Resolution No. 1980-6 as amended hereby, or provision duly made therefor.

Section 6. Repealer. All provisions of Resolution No. 1980-6 except those expressly amended hereby shall remain in full force and effect as originally passed and adopted. All orders, bylaws, and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any order, bylaw, or resolution, or part thereof, heretofore repealed.

Section 7. Severability Clause. If any section, paragraph, clause or provision of this resolution shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 8. Effective Date. This resolution shall become effective and be in full force and effect after its passage by the City Council of the City of Blanding.

Section 9. Publication. The City Recorder is hereby ordered to publish the Notice of Bonds to be Issued as provided in Section 39 of Resolution No. 1980-6, as amended by Section 6 of this Resolution.

Section 10. Contests. In accordance with Section 11-14-21 (3) Utah Code Annotated 1953, for a period of thirty days after the date of the publication of the Notice of Bonds to be Issued, any person in interest shall have the right to contest the legality of such resolution, or any other proceedings pertaining to the bonds or any of the improvement revenue bonds authorized hereby, or any of the improvement revenue bonds authorized hereby, or any of the provisions made for the security and payment of such bonds, and after such time no one shall have any cause or action to contest the regularity, formality or legality thereof for any cause whatsoever.

ADOPTED AND APPROVED this 8th day of July, 1981.

S/ DeLamar Gibbons, M.D.
Mayor, City of Blanding
State of Utah

(SEAL)

ATTEST:

S/ Francis D. Nielson
City Recorder, City of Blanding
State of Utah

Councilman Black moved the adoption of the foregoing resolution, which motion was seconded by Councilman Bradford, put to a vote, and was carried by the affirmative vote of all members, the vote of the Council being as follows:

Those Voting Aye:	DeLamar Gibbons, M.D.
	Bruce N. Black
	Cleal Z. Bradford
	Jon L. Hunt
	LaRue McDaniel

Those Voting Nay:	None
Those Absent:	Francis M. Lyman

Thereupon, other business not concerning joint system facilities or revenue bonds was considered.

Thereafter, there being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

ADOPTED AND APPROVED this 8th day of July, 1981.

S/ DeLamar Gibbons, M. D.
Mayor, City of Blanding
State of Utah

(SEAL)

ATTEST:
S/ Francis D. Nielson, City Recorder
City of Blanding, State of Utah

4. Mayor Gibbons suggested that the Blanding Chamber of Commerce should be extended appreciation for their efforts in conducting the Independence Day (4th of July) activities.

5. At the request of Mayor Gibbons, the Council discussed the merits of placing a memorial plaque at the south portal of the Indian Creek tunnel in recognition of those involved in its development, said plaque to detail such efforts.

Motion was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried that a memorial plaque be placed near the south portal of the Indian Creek Tunnel in recognition of the efforts involved in the tunnel development.

6. The Council discussed the merits of preserving the old San Juan State Bank building and its possible use as a museum facility. The possibility of memorializing a member of the Redd family and the fund raising prospects of family and museum charter were discussed. It was agreed that Mayor Gibbons and Councilman Black would discuss the proposal with Blanding Mercantile and Parley Redd Mercantile management, respectively, inclusive of the City's participation through development of a larger, common parking lot area.

7. Councilman Black advised of his concern relative to the 14" plastic pipe being left unattended between the 3rd and 4th Reservoirs. The Engineer stated that removal of the same is pending availability of equipment.

8. Councilman Bradford reported that the City Master Plan rough draft is scheduled for presentation at the Planning Commission meeting to be held August 5, 1981 and at the City Council meeting of August 12, 1981.

9. Councilman Bradford reported that San Juan County has replaced the County Tourist and Industrial Development Council with the San Juan County Development Board whose functions would be as follows:

1. Travel Development
2. Industrial Development
3. Small Business Development

10. Councilman Hunt expressed appreciation for current efforts of the Street Department in repairing damaged streets.

11. Councilwoman McDaniel reported that Mr. Kent Fairbanks, AIA, will design an Airport Administration Building for a fee of \$2,500.00.

Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that Fairbanks, AIA, be retained to design an Airport Administration building for a fee not to exceed \$2,500.00.

12. Motion was made by Councilman Black, seconded by Councilman Hunt and unanimously carried that the Mayor be authorized to execute a Contract Change Order on the Blanding Water Treatment Plant Modification project consisting of an extension of time for the project completion to July 15, 1981.

13. Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the Mayor be authorized to execute an agreement with Horrocks Engineers for the provision of engineering services on water development projects scheduled for the Indian Creek Tunnel, Johnson Creek Pipeline Inlet and Blanding Irrigation Company Upper Ditch.

14. The following proposal from the Planning Commission was presented to the Council by the Engineer:

PROPOSAL:

The following policy be enacted for the common treatment of developers, subdividers and citizens alike:

STREET CONSTRUCTION - All street construction will be initiated by the City as per current agreement with San Juan County. Right-of-way shall be

furnished by adjoining property owners free of charge to the City or County. Engineering will be furnished by City and County.

CURB AND GUTTER CONSTRUCTION - All construction of concrete curb and gutter will be initiated by the City. The cost of the concrete work will be shared equally between the property owner, the City, and the County on a 1/3, 1/3, & 1/3 basis.

Engineering will be furnished by City.

SIDEWALK CONSTRUCTION - All construction of sidewalk will be initiated by the City. The cost of sidewalks will be shared equally by the City, County and the property owner.

Motion was made by Councilman Bradford, seconded by Councilman Black and unanimously carried that the foregoing proposal be adopted and approved for curb, gutter and sidewalk improvements within the City.

Meeting adjourned at 9:50 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JULY 22,
1981 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Elack
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Absent was Councilmember Jon L. Hunt

Also present: Lynn A. Wright, Fire Chief; Mr. Milton Pipkin; Marsha Keele.

1. Prayer was offered by the Assistant Administrator.

2. The Recorder advised the Council of a County tour being sponsored by the Bureau of Land Management to acquaint officials of the area with energy developments currently in process. The tour is to leave Monticello at 9:30 A.M. on August 4, 1981 and will conclude in the late afternoon. All City Officials are invited.

3. Lynn A. Wright, Fire Chief, advised the Council that a 1980 model American LaFrance 1,000 GPM pumper unit, with approximately 5,000 miles on the truck, is available at a price of \$54,000.00.

Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried that the City negotiate immediately with Lorenzo Smith and Son Company for purchase of the foregoing fire fighting apparatus on either a lease-purchase or direct-purchase basis, dependent upon lease interest rates as compared to interest earnings rates.

4. Minutes of City Council meeting held July 8, 1981 were approved.

5. Mayor Gibbons reported that William B. Redd of Blanding Mercantile Company indicated little interest in the proposal to excavate and prepare a more accessible parking area in the interior of Block 21; that he would require no further building expansion by Parley Redd Mercantile into the current parking area as a condition of any cooperative area project.

Councilman Black advised that Bryce Redd of Parley Redd Mercantile had indicated some favorable response to the possibility of an area cooperative parking improvement project and the proposal to develop the old San Juan State Bank building into an information center-museum type facility.

6. Mayor Gibbons reported little apparent progress from the Health Board meeting held at the Hardy Redd property on LaSal mountain.

Councilman Bradford stated that appointment of two committees resulted from the foregoing meeting, one for planning and one to consider financing projects.

7. Councilman Bradford reported that he and the Engineer had presented the curb, gutter and sidewalk proposal for San Juan County participation within City boundaries, to Monticello officials and that the same was favorably received, with the exception that the Monticello City Manager felt that subdividers should fully finance subdivision in-street improvements.

8. Councilwoman McDaniel reported that playground equipment has been installed at the park near the swimming pool and is apparently receiving much use.

9. Councilman Lyman agreed to follow up on the matter of getting the memorial marker placed at the Walter C. Lyman Park and Recreation area.

10. The Engineer reported the following:

A. First Western National Bank will break ground for their Blanding Branch building construction during the ensuing week.

B. The contractor is taking a vacation from the Water Treatment Plant project; that the project completion date has passed and charges for liquidated damages under the contract may have to be considered.

C. The Camp Jackson Reservoir maintenance project should proceed at the earliest convenience.

D. Horrocks Engineers, will be here on July 30, 1981 to do the preliminary engineering on the Blanding Tunnel, Johnson Creek and Upper Ditch project.

E. The Utah Division of Health has advised that funding from the Environmental Protection Agency may now be available for the Blanding Sewer Treatment facilities project, and requested that a Step 4 application for design and construction funds be submitted immediately.

11. The Assistant Administrator advised that the problem of loose and stray dogs is again worsening and suggested consideration be given to revising the dog control ordinance to permit citing owners for violations inclusive of imposing fines.

Meeting adjourned at 9:55 p.m.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING
OF THE BLANDING CITY COUNCIL
HELD AUGUST 12, 1981 AT 8:00
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Also present: Reagan Bronson, Steven Bronson, Grayson Development; Marsha Keele.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held July 22, 1981 were read and approved.
3. Motion for adoption of the following resolution was made by Councilmember Bradford, seconded by Councilmember McDaniel and unanimously carried:

RESOLUTION NO. 1981-10

RESOLUTION AMENDING A MEMORANDUM OF AGREEMENT WITH
STEVEN L. BRONSON AND STANLEY W. BRONSON, D/B/A/
GRAYSON DEVELOPMENT, REGARDING THE ISSUANCE OF
INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR A
COMMERCIAL INDUSTRIAL PROJECT.

WHEREAS, the City Council adopted a resolution of inducement on May 27, 1981 authorizing the execution of a Memorandum of Agreement with Steven L. Bronson and Stanley W. Bronson, d/b/a Grayson Development, regarding the issuance of Industrial Development Revenue Bonds in principal amount not exceeding \$2,500,000 to finance a commercial industrial project; and

WHEREAS, the Company has revised and expanded its original plans for its commercial industrial Project based on the demand for the facilities of the Project; and

WHEREAS, it has now been determined that up to \$8,000,000 will be required to finance the acquisition of land, the construction of a building or buildings, the equipping of a facility to be used as a shopping center and related activities in support of these commercial functions (the "Project") within the boundaries of the Municipality to be developed and operated by Steven L. Bronson and Stanley W. Bronson, d/b/a Grayson Development, or any company affiliated through common control, (the "Company"); and

WHEREAS, it is deemed necessary and advisable for the development, welfare and prosperity of the Municipality and its inhabitants that the Project be constructed, and that the Municipality take such action as may be required under applicable statutory provisions to authorize and issue its Bonds to finance the cost thereof, to an amount not exceeding \$8,000,000;

NOW, THEREFORE, Be It Resolved by the City Council of Blanding, San Juan County, Utah, as follows:

Section 1. The Amended Memorandum of Agreement by and between the Company and Blanding, Utah, in the form and with the contents set forth in Exhibit "A" attached hereto, is hereby approved and the execution thereof is hereby authorized

Section 2. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. The City Council considers that this resolution is necessary and in the best interest of the Municipality, and therefore, it shall become effective immediately upon its passage, approval and adoption.

PASSED and APPROVED this 12th day of August, 1981, by the City Council of Blanding, Utah

S/ De Lamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

4. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember McDaniel and unanimously carried:

RESOLUTION NO. 1981-11

A RESOLUTION RATIFYING AND CONFIRMING THE ACTION OF THE MAYOR IN EXECUTING AN AMENDMENT TO ENGINEERING AGREEMENT OF JULY 23, 1980.

BE IT RESOLVED by the City Council of the City of Blanding, Utah, that the action of the Mayor in executing an amendment to Engineering Agreement dated July 23, 1980, by and between the City of Blanding and Horrocks Engineers, Inc. adjusting compensation to be paid said Engineers in accordance with the proposed sewer treatment facilities project cost estimates is hereby ratified and confirmed. A copy of said amendment is attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of August, 1981.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

5. Motion for adoption of the following resolution was made by Councilmember Bradford, seconded by Councilmember Black and unanimously carried.

RESOLUTION NO. 1981-12

A RESOLUTION AUTHORIZING EXECUTION OF APPROVAL OF THE ASSIGNMENT OF CABLE TV FRANCHISE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute approval thereof of that certain assignment by Paul E. Pena, Eddie L. Pena and Wayne J. Unze to Blue Mountain Cable Co., a New Mexico Corporation, of all rights, title and interest in

and to a cable television franchise issued by the City of Blanding, Utah on August 13, 1980 to Arrowhead Enterprises, its successors and assigns, as represented by Blanding City Ordinance No. 1980-4.

PASSED, ADOPTED AND APPROVED this 12th day of August, 1981.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

6. Motion for adoption of the following resolution was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried:

RESOLUTION NO. 1981-13

A RESOLUTION AUTHORIZING EXECUTION OF
AN ESCROW AGREEMENT WITH ZIONS FIRST
NATIONAL BANK.

BE IT RESOLVED by the City Council of the City of Blanding, Utah, that the Mayor be, and he is hereby, authorized to execute an Escrow Agreement with Zions First National Bank for the handling of funds being obtained by the City under loan from the Utah State Board of Water Resources; said funds to be utilized for improvements to the water collection and distribution systems. A copy of said Escrow Agreement is attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of August, 1981.

S/ De Lamar Gibbons
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

7. The Council discussed the problem of Dalton Cattle Co. animals grazing on the City Watershed. The Engineer advised that Daltons are to take care of the matter on Tuesday, August 18, 1981.

8. The Engineer reported that the initial surveying has been completed and preliminary engineering design is underway on the Blanding Tunnel and Johnson Creek water improvement projects.

9. The following letter was read in full to the Council:

Grant A. Hurst
Attorney At Law
462 11th Avenue
Salt Lake City, Utah 84103

Honorable D. L. Gibbons and
Members of the Blanding City Council
50 West 100 South
Blanding, Utah 84511

Re: Position of City Attorney

Dear Mayor and Members of the Council:

Effective August 1, 1981, I have entered into a law partnership with Mr. Steven D. Crawley of Salt Lake City. The partnership will be known as Crawley & Hurst

and for the present time will office at 2091 East 4800 South, Salt Lake City, Utah 84117. Mr. Crawley and I intend to develop our practice in the areas of real property, municipal, corporate and business law and estate planning.

Also, beginning August 20, 1981, I will take a two-year leave of absence to attend Duke University in Durham, North Carolina. I will be enrolled in its Master of Business Program emphasizing administration and development of new and expanding organizations.

I will, of course, no longer be able to make a monthly trip to Blanding. Mr. Crawley and I would, however, be most interested in retaining the City's account. The experiences of the last four years provide me with a working knowledge of Utah municipal law and many of the problems which the small cities face. Thus I am in a position to provide the service that you need. Mr. Crawley and I will, of course, work closely together on all matters pertaining to the City. We appreciate the opportunity to work with you and look forward to a continuing mutually beneficial relationship.

Yours very truly,
S/ Grant A. Hurst

Motion was made by Councilmember Bradford, seconded by Councilmember Black and unanimously carried that the firm of Crawley and Hurst be retained by the City for handling City legal matters in Salt Lake City, and that Mr. Craig C. Halls, Attorney at Law be appointed to the position of City Attorney; effective August 21, 1981.

10. Councilman Bradford advised that completion of the Master Plan has been further delayed, and requested that the Assistant Administrator be assigned to assist the Engineer, as required, in preparing the Master Plan draft.

11. Councilman Bradford reported that the San Juan Health Board has appointed a committee for studying Blanding health care facilities needs, consisting of the following members:

Guen L. Smith	Wayne Roth
Maxine P. Nielson	Rayburn E. Jack
Steven L. Bronson	James D. Redd, M. D.

Cleal Z. Bradford

12. The Council discussed the need for a meeting of Blanding and Monticello City officials to develop a cooperative program for City and County curb, gutter and sidewalk construction. It was agreed that subject to their agenda permitting, Blanding City representatives should attend the next regularly scheduled meeting of the Monticello City Council, to discuss the matter.

13. Councilman Bradford advised that the citizens committee on alcohol and drug abuse is meeting regularly, studying the issues and becoming informed as to programs useful to the carrying out of their responsibilities.

14. The Engineer read the following excerpt from a letter received from the Utah Department of Transportation:

"Although I can see some merit in a possible re-routing of US-163 through the east side of Blanding, we have made no such plans in our Department at this time. If such a project is something that the City of Blanding would like us to consider we would be happy to meet with you and discuss this proposition. Please keep in mind that environmental and funding considerations for such a re-routing would require approximately 10 years before such a project could be advertised for bids. We can explain these restraints if you'd like."

15. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously approved that Mr. Jerry L. Redd be allowed to develop a one (1) lot subdivision at 566 West 4th North Street, subject only to his agreeing that when, and if, the adjacent area is developed for residential use, he will cooperate and participate in the installation of curbs, gutters and sidewalks adjacent to his property fronting on 4th North Street.

Meeting adjourned at 10:58 P.M.

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD AUGUST
26, 1981 AT 8:00 O'CLOCK P.M. IN
THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Attorney: Craig C. Halls

Also Present were: Jerry Adams, Lynette Adams

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held August 12, 1981 were approved.
3. Mayor Gibbons discussed the following matters with the Council:
 - A. Pedestrian safety hazard at 300 South-Main Street intersection. The Engineer will request the Utah Department of Transportation consider installation of School Zone signs at a proper distance from the intersection with flashing warning lights to be activated during school traffic hours.
 - B. The status of the City's application for Farmers Home Administration loan funds and the advisability of considering increasing the application amount sufficiently to provide for replacement of the Johnson Creek pipeline.
 - C. The proposed improvements to the North portal of the Blanding Tunnel and the necessity for maintaining the entrance large enough to allow utilization of power equipment in tunnel maintenance.
4. Mr. Jerry Adams and Mrs. Lynette Adams discussed with the Council the matter of their property having been annexed to the City without their signatures on the Petition for Annexation, services offered residents of the City such as sanitary sewer connections, waste collection and disposal, and street maintenance inclusive of snow removal. They further alleged certain damages to their property resultant from rapid fluctuation in water pressure and stated that their utility account had remained unpaid because of this problem.

The Council advised Mr & Mrs. Adams that their petition to be taken out of the City would receive approval if they desired to submit the same. The Recorder advised that their utility account would be acceptable sans penalty.
5. Councilman Black discussed with the Council the need for controlling noxious weeds in the area of Main Street and 200 South Streets.
6. Councilman Hunt suggested to the Council that a specific policy should be adopted by the City relative to annexation of property, to include assessments for utilities required sufficient to cover costs of services which the City should furnish. The consensus of Council appeared to be that an adequate policy exists if adhered to.
7. Councilman Hunt advised the Council that Mr. Kent Fairbanks, AIA, is preparing preliminary drawings of a proposed airport administration building to be located at the south end of Hangar No. 1.
8. The Engineer requested the Council give consideration to the possibility of annexing land in the area of the Utah Social Services building, as it appears a petition for the same will be forthcoming in the near future.

9. The Engineer discussed with the Council a request by the San Juan Center for Higher Education that the City furnish parking area gravel at the Center. It was agreed that a legal question exists relative to the City assisting another governmental sub-division and particularly improving property which is in private ownership and under lease to such a governmental subdivision. No action can be taken on the matter until such legal question is resolved.
10. Councilwoman McDaniel questioned the adequacy of the City's liability insurance coverage. The Recorder advised that the liability policy fulfills the requirements of the State laws and provides a blanket coverage for the City.
11. Councilwoman McDaniel advised the Council that a meeting with Monticello City Officials is scheduled at the Monticello office on September 2, 1981 at 8:00 P.M. for the purpose of discussing a proposal for San Juan County cooperation with Blanding and Monticello Cities in curb, gutter and sidewalk installation.
12. The Assistant Administrator extended an invitation to all City Officials to attend the ground-breaking ceremonies for the Recapture Dam project, scheduled for October 2, 1981 at 1:00 o'clock p.m. He further advised the Council that bid opening on the initial phase of the project is scheduled September 3, 1981.
13. The Recorder presented balance sheets and operating statements on the Electric, Water and Sewer Fund and General Fund, for the Fiscal Year ended June 30, 1981.
14. The Engineer reported to the Council that he had requested First Western National Bank officials revise the construction elevation of their proposed bank building at the Southwest Corner of Lot 3, Block 15, to assure safety from flooding which occurs at that area. The Council requested that this action be confirmed to the bank officials in written form.
15. The Council was advised of the Department of Transportation scheduled public hearing on the proposed realignment of U. S. Highway 163 through the area of the proposed Recapture Dam and Reservoir Project.

Meeting adjourned at 10:48 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
SEPTEMBER 23, 1981 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent was Councilmember Jon L. Hunt

Also Present: Marsha Keele

The meeting was begun with Councilman Francis M. Lyman conducting.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held September 9, 1981 were approved.
3. Following discussion of the matter, motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the City pay an account of \$150.09 for electrical repairs made at the residence of Pauline Lisonbee; that all possible sources, which may have responsibility in the matter, be contacted relative to their reimbursement of costs incurred by the City.
4. The Council discussed the problem of cattle grazing on the watershed. The Recorder will endeavor to get a written statement from the U. S. Forest Service relative to their and their permittee's responsibility for keeping livestock off the Blanding watershed.
5. The Engineer advised the Council that bids are to be received October 7, 1981, on the proposed improvements to the diversion works and inlet at the North portal of the Blanding Tunnel as well as the Johnson Creek pipeline headworks.
The Council then discussed the proposed pipe size for the Indian Creek diversion and tunnel inlet. It was agreed that their concerns should be brought to the attention of the project engineers, Horrocks Engineers.
6. Councilman Bradford advised the Council that Intermountain Health Care and the San Juan County Hospital Administrator are embroiled in controversy which may result in replacement of the Administrator.
7. Councilman Bradford reported the following to the Council:
 - A. Two meetings of the San Juan County Ad Hoc Health Committee resulted in ordering architects schematic drawings of the proposed Blanding Health facility to be completed for review in Salt Lake City on October 10, 1981, and choice of a site for the facility to be made by October 21, 1981.
 - B. The Health Planning Committee meeting heard a report from the Southeast Utah Health District representative indicating that at this point the Gibson Dome area would be most satisfactory of possible Utah sites for development of a Nuclear Waste Repository.
 - C. The Alcohol and Drugs committee has completed organization with the following groups represented:

School - P.T.A.
Law Enforcement
Church
Community Group

Each group will pursue problems as deemed necessary. The efforts of the various groups will be coordinated by the general committee.

8. Councilman Lyman advised the Council of an interrogation seminar scheduled for selected police officers of the State of Utah to be held in Salt Lake City during the week of October 5 - 10, 1981. He requested the Council authorize Sergeant Thomas E. Austin to attend such seminar, inclusive of paying the \$125.00 tuition fee and per diem expenses.

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that Sergeant Thomas E. Austin be authorized to attend the foregoing seminar with expenses paid as stated.

9. Councilman Lyman reported that interim approval is being sought from the Utah Peace Officers Standards and Training committee for use of Mark E. Ewart as a qualified Police Officer, pending leg injury healing and successful physical testing.

10. Councilwoman McDaniel asked if San Juan County Commissioners have acted on the Blanding-Monticello cities proposal for County participation in curb, gutter and sidewalk construction. The Engineer advised that no action has been taken at this date; that the matter is to be considered at the San Juan County Commission meeting on September 28, 1981.

11. The Council discussed the proposed City-San Juan School District-San Juan County cooperative Park and Playground facility site possibilities. The Engineer advised that the site east of the Zenos Black Career Education building will require less excavation than the site west of 1st West Street and North of 7th North Street.

Motion was made by Councilman Bradford and seconded by Councilwoman McDaniel that the City use the 7th North-1st West Street site for the development of the proposed City-San Juan School District-San Juan County cooperative Park and Playground.

Voting on the motion was as follows:

Those voting "Aye":	Councilman Black
	Councilman Bradford
	Councilwoman McDaniel

Those voting "Nay":	Councilman Lyman
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Whereupon Mayor Gibbons declared the motion carried; commenting for the record that he prefers the site east of the Zenos Black Career Education Building.

12. Mayor Gibbons advised the Council that both the Gibson Dome and Cyclone Flat areas of San Juan County are being considered as sites for development of a federal nuclear waste repository.

13. The Council reviewed the proposed agreement between the City and Mr. Eugene Shumway for exchange of City ditch or pipeline water for Dusit Draw water.

The Council requested that the agreement be modified to require the water to be measured and utilized in the same year and specifically state that the City would not be required to maintain a pipeline for assuring Shumway water at a given time or point.

14. Councilman Black requested that it be made a matter of record that his advocacy of the water exchange with Eugene Shumway should in no way be construed as meaning that there is any personal gain to him in the matter, and that his interest is strictly for the purpose of benefiting the citizens of the City.

15. Mayor Gibbons advised that some citizens of the community have expressed concern over the conduct of the Justice Court. Following limited discussion the Council concluded to leave the situation as is.

16. Following considerable discussion relative to the recent resignation of Mr. Jay W. Palmer as the Lead Maintenance Worker for the City, motion was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried that the request of Mr. Jay W. Palmer for reconsideration of his resignation be declined.

17. The Recorder advised the Council that the Western State Bank of Sioux Falls, South Dakota has taken possession of the Case 580 C backhoe which the City purchased from Mr. Yves Gallett and which had been used as security with said bank for a loan defaulted on by Mr. Gallett. The City is now attempting to have Mr. Gallett prosecuted for this act of fraud.

18. The Recorder reported that Utah State officials have completed an audit of the City accounts relative to Energy Impact grant funds and that the grant for sewer purposes will be maintained by the City.

19. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the following individuals be appointed to the office of Judge of Election for the respective districts for the Municipal election to be held November 3, 1981:

BLANDING NORTH NO. 10 & 18

Hattie G. Jones
Paula A. Jones
Gladys Jack
Francelle Blickenstaff, Alternate

BLANDING SOUTH NO. 11 & 17

Eloise B. Mahon
Phyrl C. Black
Josephine H. Bayles
Inez, N. Conway, Alternate

Meeting adjourned at 11:05 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD OCTOBER
14, 1981 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Adm.: Richard D. Laws

Absent was Councilmember Bruce N. Black

Also present: Mr. Kent Fairbanks and Mr. Steve Harmon of Harmon and Fairbanks, Architects; Mr. Harold J. Lyman, Mr. J. Lynn Lee, Mr. Tim Jones, Mr. Robert Cunningham of College of Eastern Utah, San Juan Center; Mr. Kay P. Lyman; Mr. Grant Lyman; Mrs. Marsha Keele.

1. Prayer was offered by Councilman Bradford.
2. Minutes of City Council meeting held September 23, 1981 were approved.
3. Mr. Harold J. Lyman requested on behalf of the College of Eastern Utah, San Juan Center, that the City act as sponsor in applying to the United States Department of the Interior, Bureau of Land Management, under the Recreation and Public Purpose Act for acreage located Southwest of the City of Blanding which could be used in the possible development of campus and/or housing for the San Juan Center. The Council agreed that the City could act as sponsor in the matter subject to another agency preparing the application and thereafter continuing the correspondence as required.
4. Mr. Tim Jones and Mr. Robert Cunningham of the San Juan Center presented a film and recorded discussion on the necessity for energy conservation and possibilities for solar energy use.
5. Mr. Kent Fairbanks and Mr. Steve Harmon, Architects, presented to and discussed with the Council, schematic drawings of a proposed administration building for the Blanding Airport. It was agreed that further study of the matter is necessary, particularly relative to the building location and the roof design.
6. The following letter was read to the Council by the Engineer:

City of Blanding
October 13, 1981

Honorable Mayor and City Council
City of Blanding
Blanding, Utah 84511

RE: Kay P. Lyman Rezone Request

Dear City Officials,

The Planning Commission of the City of Blanding recommends that the City Council favorably consider the rezoning request of Kay P. Lyman. The request is that a parcel (150 feet X 105 feet) be rezoned Industrial "I" to allow the construction of an automotive repair shop. The parcel is immediately south of his existing residence. The School Board owns the property to the east and to the south. May N. Biggs owns the vacant lot to the west.

The history behind this request is as follows: 1) A building permit was applied for in the existing zone (R-2) and was denied since that zone does not permit that particular use; 2) Rezoning was requested to Commercial Zone and this was denied since the ordinance requires a minimum of five (5) acres for rezoning; the Lyman then appealed to the Board of Adjustments stating that the "strict" enforcement of the ordinance caused undue hardship for them as property owner.

The Board of Adjustment held a Public Hearing to consider allowing a variance to the "Five Acre Minimum Area" required by the ordinance. The Board of Adjustment granted the variance which allowed their petition to proceed on the basis of 0-36 acres (15,750 sq. ft.)

Next the Planning Commission considered the rezoning petition with this variance in the required area. The commission was concerned about the School Board's opposition to a commercial zone adjacent to their property. As a result the request was changed to an Industrial Zone "I" which permits automotive repair shops but not the normal commercial type shops which could be adverse to the High School Campus environment.

With this change and a retraction of the School Boards opposition and a positive reaction from Mrs. Biggs come the positive recommendation from the Planning Commission to the City Council for rezoning to Industrial.

Respectfully,
S/ Philip L. Palmer
Building Official

Motion was made by Councilman Bradford, seconded by Councilman Hunt and unanimously carried that the necessary public hearing be advertised for consideration of the foregoing matter at the earliest possible regular City Council Meeting.

7. Mayor Gibbons reported that at a meeting held October 13, 1981, the Water Conservancy District and Blanding Irrigation Company officials reached a tentative agreement on the use of water to be stored in the Recapture Reservoir, as follows:

First 2000 acre feet - Conservation Pool
Next 500 acre feet - San Juan Water Conservancy District
Next 3000 acre feet - Blanding Irrigation Co.
Balance - San Juan Water Conservancy District

8. Following a discussion of the need for construction water at the Recapture Dam site, motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the water stored in the Camp Jackson Reservoir be released to the contractor, LaMar D. Construction Company, for construction use purposes at the Recapture Dam site.

9. The Council discussed the San Juan County health care situation inclusive of the San Juan County Hospital Administration controversy and stated their support for Intermountain Health Care in the circumstances, subject to their showing continued strength and determination to deal with the issues.

10. Following discussion of possible values in extending 3rd West Street south to a connection with "Westwater Ruin Road", Councilman Hunt agreed to continue efforts to obtain the necessary right-of-way for such an extension.

11. Councilman Lyman advised the Council that Sergeant Austin of the Police Department has expressed appreciation to the City for the opportunity extended him to attend the recent interrogation seminar held in Salt Lake City, which he stated was very informative and should be beneficial in carrying out department responsibilities.

12. The Recorder notified the Council that the final certificates and bond in connection with securing a \$200,000 loan from the State of Utah, are to be delivered to the Utah Board of Water Resources on November 24, 1981.

13. The Council agreed to hold a special meeting on Thursday, October 22, 1981 at 7:30 P.M. in the City Hall for the purpose of considering a proposal by Kirchner, Moore and Company for providing financial assistance through sale of City bonds to finance proposed sewer treatment facilities improvements.

14. The Council considered possibly entering into a cooperative agreement with Utah Department of Transportation for installation and operation of School Zone signs with warning flashers near the intersection of Main and Third South Streets. Action on the matter was deferred until the next regularly scheduled council meeting.

15. The Council again discussed the Indian Creek Diversion-Blanding Tunnel project and concluded that 36" concrete pipe may be installed in the tunnel if the opening is too small to accommodate a larger size.

16. Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that the Mayor be authorized to execute a lease agreement, upon completion of the same, wherein the San Juan School District is leasing certain parcels of land to the City for use in development of joint-use park and playground facilities.

17. The following letter was read in full to the Council by Councilman Bradford:

San Juan County
Monticello, Utah
October 6, 1981

Blanding City Council
Blanding, Utah 84511

Dear Sirs:

The following are the modifications to the current Service Agreement as accepted by San Juan County Commissioners in their regular meeting October 5, 1981.

The San Juan County Commissioners feel that the mayors and city councils have the responsibility to negotiate and settle problems and inequalities within the incorporated cities concerning their improvement projects.

The Commission hereby propose the following modifications to the current Service Agreement:

1. Each city shall furnish their own street, curb, gutter and sidewalk engineering and design, but in no event shall those standards be less than those promulgated as County Road Standards.
2. That no curb, gutter or sidewalk project shall be less than one block to allow for street design. Each city shall furnish the County with elevations and design by April 1st each year.
3. We recommend that this Agreement be modified to call for a requirement that no street in either city will be rebuilt, or a new road constructed, unless curb and gutter is installed on both sides of at least one block in length. Patching, crack filling and chip sealing could be accomplished, but no rebuilding unless the above requirements were met. This would not preclude installing curb and gutter on one side if the street did not have to be rebuilt.
4. We recommend that No. 1 of the Service Agreement be modified to read:
The cost to the city for such construction services shall be
30% of the actual cost of labor and....
5. We recommend that city councils take full responsibility for ownership of any street projects recommended to be participated in the cooperative program and negotiate and settle problems and inequities within the incorporated city limits.

If there are any other changes suggested, please advise the San Juan County Commissioners.

Sincerely,
THE SAN JUAN COUNTY COMMISSION
S/ Mary Jane Rose, deputy clerk

Copy to: Monticello City Council

Councilman Bradford advised that discussions are continuing relative to the proposals of the foregoing letter and that, subject to final agreement to terms and conditions by the concerned parties, the referred to service agreement will be modified and executed.

Meeting adjourned at 11:05 P.M.

Francis D. Nielson, Recorder

MINUTES OF A SPECIAL MEETING
OF THE BLANDING CITY COUNCIL
HELD OCTOBER 22, 1981 AT 7:30
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Council Members: Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel
City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws

Absent was Councilmember Bruce N. Black

Also present: Mr. Lyle Larson of Kirchner, Moore, Inc.; Mr. Lynn Laws

1. Mr. Lyle Larson of Kirchner, Moore, Inc. presented the following proposal to the Council:

Kirchner Moore & Company
Tax Exempt Municipal Bonds

A G R E E M E N T

The Honorable Mayor
and City Council
City of Blanding
Blanding, Utah

Dear Mayor and City Council Members:

Kirchner, Moore and Company appreciates the opportunity to submit the following proposal for your consideration and acceptance. On behalf of the City we will perform the following services:

1. Advise the City in structuring a pre-election campaign that will best fit the City's bonding proposal.
2. Work with a firm of nationally recognized municipal bond attorneys that will be retained by the City. This would include the procedure for the authorization of the bonds, and all notice for publication and instructions pertaining to the issue. At the conclusion of the issue, we will coordinate the delivery of final closing certificates and the unqualified opinion of recognized municipal bond attorneys as to the legality of the bonds. Bond attorney fees are to be paid by the City.
3. Attend all meetings at any time to discuss the bond issue and acquisition program and the financing pertaining thereto.
4. Prepare the most advantageous maturity schedule, setting forth payments to fit the City's requirements and advise as to the prior redemption features and other bond details, all designed to bring the lowest possible rate of interest to the City.
5. Advise and consult with the City to the end that the bonds may be legally authorized and issued without unnecessary delay.
6. Advise the City concerning prevailing interest rates and the bond market conditions to select the best possible timing for the sale of bonds.
7. Prepare the Official Statement to offer the bonds to potential investors, in conformance with all disclosure requirements.
8. Conduct the proceedings of the sale, provide printed bonds ready for signatures, and assist in supplying and executing a complete set of legal documents with respect to the sale and closing of the respective bond issue.

9. Assist and make recommendations to the City on investing any idle bond funds that are not immediately required for construction, should the City request this service.

The City agrees to pay Kirchner, Moore and Company the sum of \$ for acting as its financial consultant. The fee includes the cost of printing the Bonds, cost of preparing, travel expenses to bring the District's bonds to a successful closing.

Should bond market conditions and other consideration make it desirable to sell the bonds at a negotiated sale, Kirchner Moore reserves the right to purchase the bonds from the City at mutually agreeable interest rates. If the bonds are sold at a negotiated sale, Kirchner Moore agrees to waive their fee.

In the event the election fails, the City will retain Kirchner, Moore and Company to act as financial consultant on any future bonding projects.

It is expressly understood and this Agreement does not intend, and is not under any circumstances to be construed as requiring us to perform any services which constitute the practice of law. We are employed in an expert financial capacity only.

It is understood that we will not limit our work to the steps outlined but will extend our services as necessary to insure that the entire project is brought to a successful conclusion in a most professional and satisfactory manner.

Respectfully submitted,

KIRCHNER, MOORE AND COMPANY

By _____
Lyle J. Larson

Following considerable discussion the Council agreed that the matter should be studied further and acted upon at a later regular Council meeting.

2. The Council reviewed applications for the position of Lead Maintenance Worker from the following individuals:

Gerald Merton Black
Ronald Hartman
Clifton Ray Kerbs
Harold P. Mosley

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City hire Mr. Harold P. Mosley as Lead Maintenance Worker at a salary of \$1,250.00 per month and including regular benefits received by all City employees, said employment to become effective at the earliest convenience to Mr. Mosley.

3. Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1981-14

A RESOLUTION AUTHORIZING THE EXECUTION OF A
RECREATION LAND USE AGREEMENT WITH THE SAN
JUAN SCHOOL DISTRICT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor in executing that certain Recreation Site Lease and Use Agreement by and between the Board of Education of the San Juan County School District and the City of Blanding dated October 15, 1981, be, and the same is hereby ratified and confirmed; that a copy of the said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 22nd day of October, 1981.

S/ DeLamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson, Recorder

Meeting Adjourned at 8:50 P.M.

Francis D. Nielson
Recorder

OFFICIAL CANVASS OF THE ELECTION
 RETURNS FOR THE CITY OF BLANDING
 MUNICIPAL ELECTION HELD NOVEMBER
 3, 1981.

Date: November 9, 1981, 12:00 O'CLOCK NOON

Present were:

Mayor	DeLamar Gibbons, M.D.
City Councilmembers:	Bruce N. Black
	Cleal Z. Bradford
	Jon L. Hunt
	Francis M. Lyman
	<i>McDaniel</i>
City Recorder:	Francis D. Nielson

Following verification of the Statements of Disposition of Ballots and Tally Lists for accuracy, motion was made by Councilmember Lyman, seconded by Councilmember McDaniel and unanimously carried that the election returns from the municipal election held November 3, 1981, as hereafter shown, be accepted and declared official; that Cleal Z. Bradford be issued a Certificate of Election to the office of Mayor and that J. Carl Osborn and Don Ellis Smith be issued Certificates of Election to the Office of City Councilman, for the period January 1, 1982 through December 31, 1985.

<u>OFFICE OF MAYOR:</u>	Consolidated District No. 1 (10 & 18)	Consolidated District No. 2 (11 & 17)	<u>Total</u>
Cleal Z. Bradford	214	187	401

Following were write-in Candidates:

DeLaMar Gibbons, M.D.	7	4	11
Norman Nielson	5	3	8
Glenn Black	2	-	2
William B. Redd	1	-	1
Greg Christensen	1	-	1
Jerry Adams	1	-	1
Claudia Orr	1	-	1
Francis M. Lyman	1	-	1
Drake Jones	1	-	1
Calvin Blake	1	-	1
Stephen Burtenshaw	-	2	2
Kirk P. Nielson	-	2	2
Preston G. Nielson	-	2	2
Perry M. Allen	-	1	1
Stanley Nez	-	1	1
Jay McDaniel	-	1	1
Don Sparling	-	1	1
Total Mayoral Votes:	236	204	440

Office of City Councilman:

Lynn F. Laws	131	100	231
J. Carl Osborn	124	129	253
Don Ellis Smith	167	177	344
LaRell C. VanDyke	146	53	199
	568	459	1027

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD NOVEMBER
12, 1981 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.
City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel
City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: Richard D. Laws
City Attorney: Craig C. Halls

Absent was Councilmember Jon L. Hunt

Also present were: Mr. Kay P. Lyman; Mr. Grant Lyman; Mr. Charles Lyman; Mr. LaMar D. Stevens; Mr. Burke Taylor; Mr. Lyle J. Larson of Kirchner, Moore & Company.

1. Prayer was offered by Councilmember Black.
2. Minutes of City Council meetings held October 14, and 22, 1981 were approved.
3. Councilmember Bradford introduced the following resolution, which resolution was thereupon read in full and is as follows:

RESOLUTION NO. 1981-15

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City, in the County of San Juan and State of Utah, to issue its negotiable bonds for the purpose of paying the cost of improving and extending the City's water and sanitary sewer system (the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, STATE OF UTAH:

Section 1. In the judgment of the City Council (herein the "Council"), it is advisable to provide for the holding of an election to be called and held in the City to submit to the qualified registered electors of the City, the question of whether bonds of the City, in the amount of \$1,480,000, shall be issued and sold.

Section 2. Said question shall be submitted at a special election of the qualified registered electors of the City, to be held in the City on Tuesday, the 15th day of December, 1981, the question of the issuance of such bonds to be in substantially the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, general obligation water and sanitary sewer bonds of the City in the principal amount of \$1,480,000, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving and extending the City's water and sanitary sewer systems and all costs incident to the authorization and issuance of such bonds, such bonds to be issued and sold upon such terms and conditions and with such other details as the City Council may determine?

Section 3. The election shall be held in the regularly established voting districts Nos. 10 and 18, and 11 and 17, and the polling places within said combined voting districts and the officials and judges who are hereby appointed to conduct the said election are as set out in form of notice of election in Section 6 of this resolution.

Section 4. The election shall be held on Tuesday, the 15th day of December, 1981, and the polls shall be opened at the hour of 7:00 a.m. of said day, and shall be closed at the hour of 8:00 p.m. of said day.

Section 5. The ballot to be used in voting upon the proposition to be submitted shall be prepared and furnished by the City Recorder to the judges of election, to be furnished by them to the qualified electors, and shall be in the following form:

THE CITY OF BLANDING
IN THE COUNTY OF SAN JUAN AND STATE OF UTAH
SPECIAL BOND ELECTION
DECEMBER 15, 1981

QUESTION SUBMITTED:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, general obligation water and sanitary sewer bonds of the City in the principal amount of \$1,480,000, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving and extending the City's water and sanitary sewer systems and all costs incident to the authorization and issuance of such bonds, such bonds to be issued and sold upon such terms and conditions and with such other terms and conditions and with such other details as the City Council may determine?

FOR THE ISSUANCE OF BONDS

AGAINST THE ISSUANCE OF BONDS

If the voter desires to vote in favor of the question submitted, he shall mark a cross (X) in the square opposite the words "For the Issuance of Bonds." If he desires to vote against the question submitted, he shall mark a cross (X) in the square opposite the words "Against the Issuance of Bonds."

On the reverse side of the ballot shall be the following:

OFFICIAL BALLOT FOR
THE CITY OF BLANDING
SAN JUAN COUNTY, STATE OF UTAH
SPECIAL BOND ELECTION
TUESDAY, December 15, 1981

City-Recorder, City of Blanding
San Juan County, State of Utah

Section 6. The notice of election, signed by the Mayor and by the City Recorder of said City, shall be published in the San Juan Record, a weekly newspaper published in Monticello, Utah, and of general circulation within the City of Blanding, by publication once a week during three consecutive weeks, the first publication to be not less than twenty-one (21) days and not more than thirty-five (35) days before the election. Said notice shall also include a notice of said bond election and meeting shall also be given by posting of such notice by the City Recorder in at least five public places in said City at least twenty-one (21) days before the election, pursuant to Section 11-14-3, Utah Code Annotated 1953, since the City of Blanding is a city of the third class where there is no newspaper published in such City, which notice for both publication or posting shall be in substantially the following form:

THE CITY OF BLANDING
SAN JUAN COUNTY, UTAH
NOTICE OF BOND ELECTION TO BE HELD
TUESDAY, DECEMBER 15, 1981 AND
OF MEETING TO BE HELD
DECEMBER 16, 1981

PUBLIC NOTICE IS HEREBY GIVEN that a special bond election will be held in the City of Blanding, San Juan County, State of Utah, on Tuesday, the 15th day of December, 1981 at which election there shall be submitted to the registered qualified electors of the City the following question:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, general obligation water and sanitary sewer bonds of the City in the principal amount of \$1,480,000, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving and extending the City's water and sanitary sewer systems and all costs incident to the authorization and issuance of such bonds, such bonds to be issued and sold upon such terms and conditions and with such other details as the City Council may determine?

Said election shall be held in the regularly established voting districts Nos. 10 and 18, and 11 and 17, and the polling places within said combined voting districts, and the judges and alternates who have been appointed to conduct the election are as follows:

VOTING DISTRICTS NOS. 10 and 18

<u>Polling Places</u>	<u>Judges of Election</u>	<u>Alternates</u>
The Blanding City Office Bldge., 50 W. 1st So. Street Blanding, Utah	Paula Jones Francelle Blickenstaff Gladys Jack	_____ _____ _____

VOTING DISTRICTS NOS. 11 AND 17

<u>Polling Places</u>	<u>Judges of Election</u>	<u>Alternates</u>
The San Juan County Library Building (also known as the Blanding Library) 27 W. 3rd So. Street Blanding, Utah	Phyrl Black Eloise Mahon Josephine Bayles	_____ _____ _____

The boundaries of the above-designated combined voting districts shall consist of all of the above-listed voting districts located within the City boundaries and the voting districts therein shall be the same as those established for the last general election within the County of San Juan, Utah.

Any qualified elector shall vote at the polling place provided for the voting district in which he resides.

A map showing the description of the boundaries of the voting districts and showing the boundaries of the City of Blanding, Utah, is on file at the office of the City Recorder of the City and is available for public inspection at the City Hall, 50 West 1st South, Blanding, Utah. Any qualified elector may determine the boundaries of the City and the voting districts for the election by inquiry directed to the City Recorder of the City.

The voting at such election shall be by paper ballot, which ballots will be furnished by the City Recorder of Blanding to the judges of election, to be by them furnished to the qualified electors.

The polls at each polling place shall be opened at the hour of 7:00 a.m., and will be kept open until and will be closed at the hour of 8:00 p.m.

No person shall be permitted to vote at said election unless he or she shall be a registered voter residing in the voting district in which he or she offers to vote. The County Clerk of San Juan County will register at his office during regular office hours, except Saturdays, Sundays and holidays, and except during the ten-day period immediately preceding the December 15, 1981, election, any person who on the day of the bond election will be a qualified elector, such person to be registered in the same manner as provided by law for registration by registration agents. Absentee voting will be permitted in the manner provided by law.

The maximum principal amount of bonds to be issued is \$1,480,000. The maximum number of years from their respective dates for which such bonds may run is 20 years. The bonds are to be issued for the purpose of paying the cost of improving and extending the City's water and sanitary sewer systems and all costs incident to the authorization and issuance of such bonds.

A verified written complaint to contest the results of election on the above bond question may be instituted by filing with the Clerk of the District Court of the County in which the City of Blanding is located, but shall be instituted within 40 days after the votes cast at such election have been canvassed and not hereafter, and as provided by Section 11-14-12, Utah Code Annotated 1953.

For further information concerning said election and for assistance and information for non-English speaking electors concerning said election, registration therefor and absentee voting contact the office of the City Recorder in Blanding, Utah.

FURTHER NOTICE IS HEREBY GIVEN that the City Council of the City of Blanding will meet in open public session at the City Hall, 50 West 1st South Street, Blanding, Utah, at the hour of 12:00 noon on Wednesday, December 16, 1981 for the purpose of canvassing the results of such election.

IN WITNESS WHEREOF, the City Council of the City of Blanding, San Juan County, State of Utah, has caused this notice to be given as required by law this 12th day of November, 1981.

S/ De Lamar Gibbongs, M. D.
Mayor, City of Blanding
San Juan County, State of Utah

(SEAL)

Attest:

S/ Francis D. Nielson
City Recorder, City of Blanding
San Juan County, State of Utah

Section 7. The elector's oath to be used at the election shall be prepared and furnished by the City Recorder of the City to the judges of election and shall be in substantially the following form:

STATE OF UTAH)
)
 COUNTY OF SAN JUAN)

ELECTOR'S OATH

The undersigned, having been first duly sworn upon oath, deposes and says under the pains and penalties of perjury, as follows:

That I am a citizen of the United States; that I am 18 years of age or older; that I am now and have been a resident of the State of Utah for not less than 30 days; that I am a resident of San Juan County, and of the voting district or precinct of the City of Blanding, Utah in which I am offering to vote; that I am a duly registered voter of San Juan County and I am a qualified voter of and reside within the confines of the City of Blanding, Utah; and that I have not previously voted at the bond election being held on this 15th day of December, 1981, in the City of Blanding, Utah.

 Signature of Elector

 Address of Elector

I, the undersigned, Judge of election, hereby certify that the person whose signature appears above, signed the foregoing statement on this 15th day of December, 1981, immediately after I administered to him an oath in the following words:

You do solemnly swear (or affirm) that you have read the oath to which you are about to subscribe your signature and that the facts recited therein are true and correct, so help you God (or under the pains and penalties of perjury).

 Judge of Election

Section 8. The City Recorder shall provide a blank form of oath to be taken by each of the judges of election, which oath shall be in substantially the following form:

FOR SPECIAL BOND ELECTION OF
 THE CITY OF BLANDING
 SAN JUAN COUNTY, UTAH
 HELD ON
 TUESDAY, DECEMBER 15, 1981

STATE OF UTAH)
)
 COUNTY OF SAN JUAN)
)
 CITY OF BLANDING)

JUDGE'S OATH

I, _____, do solemnly swear to (or affirm) that I am a citizen of the United States and the State of Utah; that I am a qualified elector of the City of Blanding; that I will perform all duties incumbent upon a judge of election according to law, and to the best of my ability; that I will endeavor to prevent fraud, deceit and abuse in conducting same; that I will not disclose how any elector voted, if, in the discharge of my duties, such knowledge comes to me, unless required to do so in some court of competent jurisdiction and that I will not disclose the result of the voting until the polls have closed.

 Judge

Subscribed and sworn to before me this _____ day of _____, 1981.

 Judge

Section 9. Immediately after the polls are closed the judges appointed to conduct the election shall proceed to count and canvass the votes, and shall promptly thereafter certify the result and make returns thereof to the City Council, and the said Council shall meet on Wednesday, December 16, 1981, at 12:00 noon (i.e., within ten (10) days after the date of said election) and shall at that time publicly canvass the returns. If a majority of the votes cast at such election are in favor of the proposition submitted, then the City Council shall cause an entry of that fact to be made upon its minutes, and thereupon this City Council shall be authorized to issue such bonds.

Section 10. The maximum principal amount of bonds to be issued is \$1,480,000, the maximum number of years from their respective dates for which such bonds may run is 20 years, and the purpose for which the bonds are to be issued is for the purpose of paying the cost of improving and extending the City's water and sanitary sewer systems and all costs incident to the authorization and issuance of such bonds.

Section 11. The Council has determined and hereby finds and determines that there are no residents of the municipality who are able to read the Navajo language but unable to read the English language and that, therefore, publication, posting and printing of the aforesaid Election Notice, Ballot and other election materials in the Navajo language is unnecessary for the purposes of the Voting Rights Act Amendments of 1975; however, to assist any electors of the municipality who speak the Navajo language, the Council has appointed one Judge of Election at each polling place who is fluent in the Navajo and English languages and persons will be available at the office of the City Recorder to assist such electors before the election as provided in the election notice.

Section 12. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 13. All acts and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part of any resolution, heretofore repealed.

Section 14. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 15. This resolution is necessary for the preservation of the public health, peace and safety of the inhabitants of the City of Blanding, and it is hereby declared that an emergency exists and that this resolution shall become effective upon its adoption.

ADOPTED AND APPROVED this 12th day of November, 1981.

S/ DeLamar Gibbons, M. D.
Mayor

(SEAL)

Attest:

S/ Francis D. Nielson
City Recorder

4. Motion was made by Councilmember Lyman, seconded by Councilmember McDaniel and unanimously carried that the Mayor be, and he is hereby, authorized to execute the following Letter of Agreement:

A G R E E M E N T

The Honorable Mayor
and City Council
City of Blanding
Blanding, Utah

Dear Mayor and City Council Members:

Kirchner, Moore and Company appreciates the opportunity to submit the following proposal for your consideration and acceptance. On behalf of the City we will perform the following services:

1. Advise the City in structuring a pre-election campaign that will best fit the City's bonding proposal.
2. Work with a firm of nationally recognized municipal bond attorneys that will be retained by the City. This would include the procedure for the authorization of the bonds, and all notice for publication and instructions pertaining to the issue. At the conclusion of the issue, we will coordinate the delivery of final closing certificates and the unqualified opinion of recognized municipal bond attorneys as to the legality of the bonds. Bond attorney fees are to be paid by the City
3. Attend all meetings at any time to discuss the bond issue and acquisition program and the financing pertaining thereto.
4. Prepare the most advantageous maturity schedule, setting forth payment to fit the City's requirements and advise as to the prior redemption features and other bond details, all designed to bring the lowest possible rate of interest to the City.
5. Advise and consult with the City to the end that the bonds may be legally authorized and issued without unnecessary delay.
6. Advise the City concerning prevailing interest rates and the bond market conditions to select the best possible timing for the sale of bonds.
7. Prepare the Official Statement to offer the bonds to potential investors, in conformance with all disclosure requirements.
8. Conduct the proceedings of the sale, provide printed bonds ready for signature, and assist in supplying and executing a complete set of legal documents with respect to the sale and closing of the respective bond issue.
9. Assist and make recommendations to the City on investing any idle bond funds that are not immediately required for construction, should the City request this service.

Kirchner, Moore and Company, as investment bankers, is hereby granted an exclusive right to purchase the above referenced bonds at a price to be mutually agreed upon. All expenses, including the cost of printing the bonds, the cost of preparing, printing and mailing the Official Statement, and other necessary travel expenses, will be borne by the underwriter.

In the event the election fails, the City agrees to allow Kirchner, Moore and Company the exclusive right to handle a subsequent election and any future bonding projects.

It is expressly understood, and this Agreement does not intend, and is not under any circumstances to be construed as requiring us to perform any services which constitute the practice of law. We are employed in an expert financial capacity only.

It is understood that we will not limit our work to the steps outlined but will extend our services as necessary to insure that the entire project is brought to a successful conclusion in a most professional and satisfactory manner.

Respectfully submitted,
KIRCHNER, MOORE AND COMPANY

By S/ Lyle J. Larson

The foregoing proposal is hereby accepted for and on behalf of the City of Blanding by proper resolution duly passed this 12th day of November, 1981.

S/ DeLamar Gibbons, M.D.
Mayor

S/ Francis D. Nielson
Recorder

5. Mayor Gibbons reported the following to the Council:

- A. The San Juan County Commissioners have terminated their agreement with Intermountain Health Care for operation of the San Juan County Hospital.
- B. The Lions Club has agreed to furnish the labor if the City will provide the materials for construction of sidewalks in front of the Leo Black and Myrtle Redd properties. The Council approved proceeding with this proposal.
- C. The Radioactive Waste Repository Hearing held at the Edge of the Cedars Museum conference room on _____, 1981 was dominated by a group of activists from other areas and the Hearing Committee was advised that the statements and opinion of the said activists did not represent the opinion and attitude of local people relative to the radioactive materials repository location.

6. The Council conducted a public hearing in accordance with the following:

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Blanding, Utah will hold a public hearing on Thursday, November 12, 1981 at 8:00 P.M. in the City Hall, 50 West 1st South Street, for the purpose of allowing interested and concerned parties the opportunity to be heard relative to proposed amendments to Blanding City Ordinance No. 1978-1 (ZONING) -- the anticipated re-zoning from Residential 2 (R-2) to Industrial (I) the following described parcel of land.

Rezone from "R-2" to "I":

Beginning at a point which is 1380 feet South, and 795 feet west from the northeast corner of section 27, T 36S., R 22 E., SLB of M; running thence West 105 feet, thence South 150 feet, thence East 105 feet, thence North 150 feet to the point of beginning, (0.36 acres). This site is South of Kay P. Lyman's residence and is owned by him.

BY ORDER OF THE BLANDING CITY COUNCIL

S/ Francis D. Nielson
Blanding City Recorder

Motion was made by Councilmember Black, seconded by Councilmember Lyman and unanimously carried that consistent with the recommendations of the City Planning Commission and Zoning Board of Adjustment the following described property be re-zoned from Residential "R-1" to Commercial "C":

Beginning at a point which is 1380 feet South, and 795 feet West from the Northeast corner of Section 27, T 36 S., R 22 E., SLB of M; running thence West 105 feet, thence South 150 feet, thence East 105 feet, thence North 105 feet to the point of beginning, (0.36 acres).

7. Councilmember McDaniel reported that the Energy Workshop Seminar involved organizing three groups of varied interests who will pursue as they consider it necessary, the promotion of energy conservation.

8. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember Black and unanimously carried:

RESOLUTION NO. 1981-16

A RESOLUTION AUTHORIZING EXECUTION OF A WATER
USE AGREEMENT BY AND BETWEEN THE CITY OF
BLANDING AND MR. EUGENE SHUMWAY

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain water use agreement by and between the City of Blanding and Mr. Eugene Shumway involving a water filing on water in Dusit Draw and water from the City water system; that a copy of said agreement be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of November, 1981.

DeLamar Gibbons, M. D.
Mayor

Attest:

Francis D. Nielson
Recorder

9. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember McDaniel and unanimously carried:

RESOLUTION NO. 1981-17

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
BY AND BETWEEN THE UTAH DEPARTMENT OF TRANSPORTATION
AND THE CITY OF BLANDING FOR OPERATION OF FLASHING
SCHOOL ZONE SIGNS ON U.S. HIGHWAY 163 WITHIN THE
CITY OF BLANDING

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby authorized to execute that certain Agreement by and between the Utah Department of Transportation and the City of Blanding for operation of flashing school zone signs on U. S. Highway 163 within the corporate limits of the City of Blanding, said agreement to be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of November, 1981.

DeLamar Gibbons, M. D.
Mayor

ATTEST:

Francis D. Nielson
Recorder

10. The Engineer advised the Council that the State of Utah is proceeding with plans for construction of a Juvenile Detention Center in the area east of the Region Seven Social Services building; that the development will necessitate utilities extensions and street construction, which, under present regulations, will have to be funded as a part of the project.

12. Following consideration of the bid proposals for water improvements at the Blanding Tunnel and Johnson Creek in-let structure, as received November 11, 1981, the Council declined to take action on the matter pending further study.

13. LaMar D. Stevens of LaMar D. Construction Company reported to the Council that his contract with the City for improvements to the Water Treatment Plant is complete, excepting for some minor work on the flocculator weir which will be finished during the ensuing week.

Meeting adjourned at 10:54 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD NOVEMBER
25, 1981 AT 7:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
LaRue McDaniel

City Recorder Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Absent:

City Councilmembers: Jon L. Hunt
Francis M. Lyman

Also present were: Mr. J. Carl Osborn; Mr. Don Pillmore; Mr. Philip Sabey

1. Prayer was offered by Mayor Gibbons.

2. Mr. Don Pillmore and Mr. Philip Sabey discussed with the Council the need for crosswalks to be painted on U. S. Highway 163 at 4th South Street and at First East Street. They also inquired as to sidewalk construction policies and residential areas.

The Engineer reported that the City has requested the Utah Department of Transportation to mark crosswalks at the intersections of 4th South-Main Street and 1st East-Center Street; and that flashing school-zone markers have been requested for the 1st East-Center Street intersection.

The Council advised that they are currently considering a sidewalk construction policy which would require property owners to provide the labor and the City would furnish materials in those areas where not less than one full block of sidewalk could be constructed.

3. Mayor Gibbons advised the Council that the sidewalk project adjacent to the Leo Black property, has been completed and requested that a letter of appreciation be sent to the Blanding Lions Club for their assistance.

4. Following discussion of a proposal by the College of Eastern Utah, San Juan Center, to obtain land from the U. S. Department of the Interior under the Recreation and Public Purposes Act for use as campus location, motion was made by Councilmember Bradford, seconded by Councilmember McDaniel and un-animously carried that the City act as agent in the matter of obtaining such land; that the scope of use be expanded to include an Industrial Park; that a letter-of-intent to file an application for such land use be filed with the federal government at the earliest convenience; and that the application process be commenced upon receipt of acknowledgement of the letter-of-intent by the Department of the Interior.

5. The Council discussed the San Juan County proposal for revising the City-County Cooperative Streets and Roads Maintenance and Construction Agreement.

Motion was made by Councilmember Bradford, seconded by Councilmember Black and unanimously carried that the City approve the general concept of the San Juan County proposal for revising the City-County Cooperative Streets and Roads Maintenance and Construction Agreement as a basis from which to develop the final cooperative agreement, inclusive of the 30-70 City-County proportionate share, respectively.

6. Councilmember Bradford reported to the Council that the Postal Department has indicated Blanding is eligible for one of the following types of mail delivery:

1. Rural Delivery
(Includes City and environs)

2. City Delivery
(Corporate limits only)

May be "side by side" delivery - residents buy own boxes, neighbors share mail box post with unlocked boxes on either side.

May be "cluster-box" delivery - residents on one block have locked boxes in central area to which they walk each day for mail pickup.

Motion was made by Councilmember McDaniel and seconded by Councilmember Bradford that the City of Blanding advise the United States Postal Department that the City favors Rural Delivery for the Blanding area and prefers "side by side" delivery.

7. Councilmember Black discussed with the Council, the possibility of enlarging the Westwater Reservoir as opposed to building the proposed Starvation Reservoir. The Council agreed that the matter needs further study and Councilmember Black agreed to get detailed cost information for future discussion.

8. The Council again reviewed schematic drawings of a proposed airport administration building as prepared by Fairbanks and Harmon, Architects.

Motion was made by Councilmember Bradford, seconded by Councilmember Black and unanimously carried that Harmon and Fairbanks, Architects, be authorized to proceed with design drawings for the Blanding Airport Administration Building on the basis of their recent schematic drawings, subject to their keeping all windows at door height and locating the north exit within the operators service area.

Meeting adjourned at 9:30 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
DECEMBER 9, 1981 AT 7:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineers: Philip L. Palmer

Assistant Administrator: Richard D. Laws

Also present were: J. Carl Osborn; Bill Osborn; Don E. Smith; Jim Parasceva of Southeastern Utah Association of Governments; Paul Mantz; Lorraine Mantz; Eric Mantz.

1. Prayer was offered by Councilmember Lyman.
2. Minutes of City Council meeting held November 12, 1981 and November 25, 1981 were approved.
3. Mr. Jim Parasceva of the Southeastern Utah Association of Governments presented to the Council a water quality report for San Juan County setting forth the recommended policies to be followed to maintain quality water and control the area erosion problems.
4. Motion for adoption of the following resolution was made by Councilmember Lyman, seconded by Councilmember McDaniel and unanimously carried:

RESOLUTION NO. 1981-18

A RESOLUTION AUTHORIZING EXECUTION OF AN
AMENDMENT TO THE PREVIOUS AMENDMENT TO AN
ENGINEERING AGREEMENT BY AND BETWEEN THE
CITY OF BLANDING AND HORROCKS ENGINEERS, INC.

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain amendment to the amendment of an engineering agreement by and between the City of Blanding and Horrocks Engineers, Inc. relative to providing engineering services for sewer treatment facilities Project No. C 490201-04; that a copy of said amendment be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 9th day of December, 1981.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

5. Mayor Gibbons advised the Council of controversy relative to operation of San Juan County Hospital resultant from Physicians desire not to serve hospital emergency service needs.
6. Councilmember Bradford discussed with the Council proposed legislative changes to the Collector Road Funds distribution formula which would make all communities of the state eligible for funds and limit use restrictions. If enacted, the changes will result in Blanding City losing approximately \$3,000.00 annually.

7. Following a discussion relative to curb, gutter and sidewalk construction policy, motion was made by Councilman Bradford, seconded by Councilman Black and unanimously carried that the City adopt a policy whereby the City will provide engineering and materials and property owners will provide the labor for curb, gutter and sidewalk construction within the City; that any such construction projects shall be limited by City budget funds availability and shall be subject to a priority recommendation established by community task committee and approved by the City Planning Commission, based on improving safety for pedestrian traffic, primarily school children; and that in the event the highest priority project is unfundable due to lack of citizen support, the next highest priority project which is fundable shall be completed.

8. Councilman Bradford reported that the San Juan County Health Facilities Committee had presented a 1982 Capital Improvements budget to the San Juan County Commission totalling \$500,000. Priority projects include:

1. Improved Health Facility at Blanding
2. Improvements necessary to placing San Juan Nursing Home Patients in the San Juan County Hospital

Councilman Bradford further reported that the San Juan Hospital Board is accepting applications for the position of Hospital Administrator through December 18, 1981, that screening of applications for the position will take place on December 21, 1981, that the position requires a masters degree in Business Administration or Hospital Administration.

9. Councilman Bradford reported that the Alcohol-Drug Committee has been meeting regularly, with emphasis to date on their own education relative to the problem existing and determining where activities may best be directed.

10. Councilman Lyman advised the Council that the City has received a grant offer of \$4,300 for use in developing a drug education program which requires the City to participate in the amount of \$2,344.00.

Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the City accept the grant offer of \$4,300.00 from the State Division of Alcohol and Drugs, requiring the City participate in the amount of \$2,344.00, and that the Mayor be authorized to execute the necessary documents relative to such grant offer acceptance.

11. Councilman Lyman reported to the Council that Patrolman Mark E. Ewart had failed the Physical fitness tests as prescribed by the Utah Peace Officers Standards and Training Academy, rendering him ineligible to serve as a police officer.

Councilman Lyman presented to the Council applications from the following individuals for employment by the City as Patrolman:

G. Allen Hawkins
Michael Bradford
Clifton R. Kerbs

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the City hire G. Allen Hawkins as a patrolman at a monthly salary of \$1,000.00, with regular uniform allowance and other general City employee benefits, that subject to sixty days satisfactory service Mr. Hawkins be given a pay increase of \$50.00 per month and that other pay increases other than cost-of-living be subject to satisfactory completion of the Utah Peace Officers Standard and Training Academy course and recommendation of the Chief-of-Police.

12. The Recorder reviewed with the Council, preparations for the bond election to be held December 15, 1981.

13. Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the Mayor be authorized to execute that certain Sales Agreement by and between the City of Blanding and Mrs. Beatrice Helquist wherein the City is purchasing 1,600 shares of Blanding Irrigation Water Stock from Mrs. Helquist at a price of \$3.00 per share.

14. Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried authorizing purchase of 4,885 shares of Blanding Irrigation Company Water Stock from K & C Trading Post at \$3.00 per share.

15. The following letter was read in full to the Council:

San Juan County
Monticello, Utah 84535

Francis Nielson
City of Blanding
Blanding, Utah 84511

December 4, 1981

Dear Mr. Nielson:

Vehicles parked on streets during snow storms impedes removal of snow by the county equipment. When snow and ice remains on the roads for long period, it causes damage to the pavement, necessitating extensive maintenance and repair.

Our contract specifies that streets should be cleared of such obstacles so that we can serve the citizens quickly and efficiently.

We would appreciate your help in keeping narrow thoroughfares clear of parked vehicles during the winter months when we are expecting snow conditions.

Thank you for your help and cooperation on this matter.

S/ Bernal Bradford, superintendent

BB/kb

The Council agreed that the media should be requested to carry, as a public service, the necessity for public cooperation in keeping the streets clear of vehicles during periods of required snow removal.

16. The Assistant Administrator reviewed for the Council, the construction status of the cooperative City-County-School District Parks and Playgrounds Project.

17. The Assistant Administrator discussed with the Council, possible revisions to the City Dog Control Ordinance. The Council agreed that the complete dog control ordinance should be considered at the next regularly scheduled Council meeting.

18. The Council agreed that no council meeting should be held on December 23, 1981.

Meeting adjourned at 9:40 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JANUARY
9, 1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmen: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman

City Councilwoman: LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
City Justice of the Peace: George M. Low
City Attorney: Grant A. Hurst

Also present were: Dwight D. Laws and Preston G. Nielson, members of the Board of Education and Donald V. Jack, Superintendent of Schools, San Juan School District; Mr. Kay P. Lyman; Mr. Steven Keele; Mrs. Marsha Keele; Mr. J. Lynn Lee, Director, San Juan Center for High Education.

1. Prayer was offered by Councilman Black.

2. Minutes of City Council meeting held December 12, 1979 were approved.

3. Mr. Donald V. Jack, Superintendent of Schools, San Juan School District, discussed with the Council, development requirements relative to District property located North of 700 North Street between 100 and 300 West Streets, pertaining to utilities installation and street construction. The Council reiterated that land subdivision development requirements previously detailed for the District by the Engineer and Administrator, must be adhered to. Particularly, that right-of-way for water, sewer, electric lines and streets must be provided; that installation of utilities shall be completed at the expense of the property owner and in accordance with City specifications and under City inspection; that developers owning property on both sides of a street are responsible for total street construction inclusive of grading, gravelling, surfacing, curbs, gutters and sidewalks in accordance with City specifications; that developers owning property on one side of a street shall complete the street construction as above stated, to the center of the right-of-way. The council agreed that property owners may stage development and that costs of any improvements completed, inuring to the benefit of adjacent property owners, shall be reimbursable to the developer on a pro rata basis relative to property served.

Superintendent Jack presented to the Council a draft proposal for an addition to the San Juan High School, extending south on to the baseball field operated jointly by the School District and San Juan County Recreation Department. To compensate for loss of the baseball field, the School District proposes development of a cooperative District, County and City recreation facility in the area east of the Zenos L. Black Career Education Center, which would include ball fields and other recreation facilities. The Council indicated that to the extent of its ability, the City would cooperate in development of such facilities.

4. Mr. Dwight D. Laws read the following poem to the Council:

BLANDING LAND

I did not come to love your town,
As with some, you do on sight.
It took a little longer.
The passing of one night.

Chances are I'd never pass this way,
For years, if even then.
Except for spending time with Mom,
And then just on a whim.

Riding long and hot across the land,
Marked with beauty, but desolate space;
I never thought I'd come to miss,
So small and quiet a place.

In my mind this was a widening
In a road from here to there.
And as in all preconceived notions
The evaluation was anything but fair.

Many times I'd scoff at hearing
Of a town that gave off peace.
But at staying so short a while,
The judgements will all cease.

I came to like this town of yours
At a museum both small and new
And learning the history and struggles,
My liking and respect both grew.

And under the shade of the trees by your church
The peace began to circle round,
As my children ran and played,
And laughter filled the air with sound.

And a quiet ride down an old dirt road
To a picnic in a park
Was the final passing moment
It took to seal my heart.

An old Maypole, now rusty with age,
Never seen before, let alone rode,
Became the highlight of the day
After the instructions my mother showed.

Like children we were, as we romped and we played,
So free, a time without care.
A pity it is, I can't tell the joy,
It's a time you had to be there.

Now it's my time to get the raised eyebrows,
The little smiles behind a raised hand
As I sing the praise of your paradise
In your small, long remembered, Blanding Land.

Terry Hirt
Phoenix, Arizona

5. Mayor Gibbons expressed his appreciation to the Council for their support and dedication in serving their respective offices and assignments. He stated that he would like to see particular progress during 1980 on the proposed concrete ditch from Johnson Creek and the development of adequate administration facilities at the airport.

6. At the invitation of Councilman Bradford, Mr. J. Lynn Lee, Director, San Juan Center for Higher Education, briefly detailed for the Council the origin, functions and operation of the Center.

The Center was organized according to the Community College concept, in 1976, to function under the College of Eastern Utah as a part of the Utah State education system, maintaining flexibility to utilize any institution which may provide services. It has a current annual budget of \$400,000.00, 15 staff members and part-time help. It offers B.A. degrees in Elementary Education, associate degrees in nursing, mine training and various other special education services.

The Center subscribes to the Federal Register and has staff qualified in review of the same relative to available Federal grant assistance programs. Mr. Lee advised the Council that they desire to assist the City in any way within their capabilities, inclusive of research of the Federal Register for programs available to the City and aid in preparation of grant applications.

The Council expressed appreciation to Mr. Lee for his presentation and offer of assistance.

7. The following ordinance was read in full to the Council:

BLANDING CITY ORDINANCE
No. 1980-1

AN ORDINANCE AMENDING PART 13-1050-8 OF THE CODE OF
REVISED ORDINANCES OF THE CITY OF BLANDING RELATING
TO THE DISCHARGE OF FIREARMS WITHIN THE CITY LIMITS
OR FROM ANY VEHICLE OR NEAR HIGHWAY.

BE IT ORDAINED by the City Council of the City of Blanding, a
Municipal Corporation of the State of Utah, that:

Section 1. Part 10-1050-8, Chapter 13-1000, Code of Revised Ordinances
of the City of Blanding, as adopted by Ordinance No. 1978-1, is amended as follows:

13-1050-8. DISCHARGE OF FIREARMS.

- A. From vehicle or near highway. It shall be a Class B. misdemeanor for any person to discharge any kind of firearm from any automobile or other vehicle or to discharge a firearm from, upon, or across any highway.
- B. Within the city limits. It shall be a Class B misdemeanor for any person to discharge a firearm of any description within or into the corporate limits of the City of Blanding except at a regularly licensed shooting gallery or at a regularly organized gun club shooting range, where the range and facilities have been approved by the Blanding City Council.

Section 2. In the opinion of the City Council, it is necessary to the peace, health, and safety of the inhabitants of the City of Blanding, Utah, that this Ordinance become effective immediately.

Section 3. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah, this _____
day of _____, 1980.

ATTEST:

Mayor

City Recorder

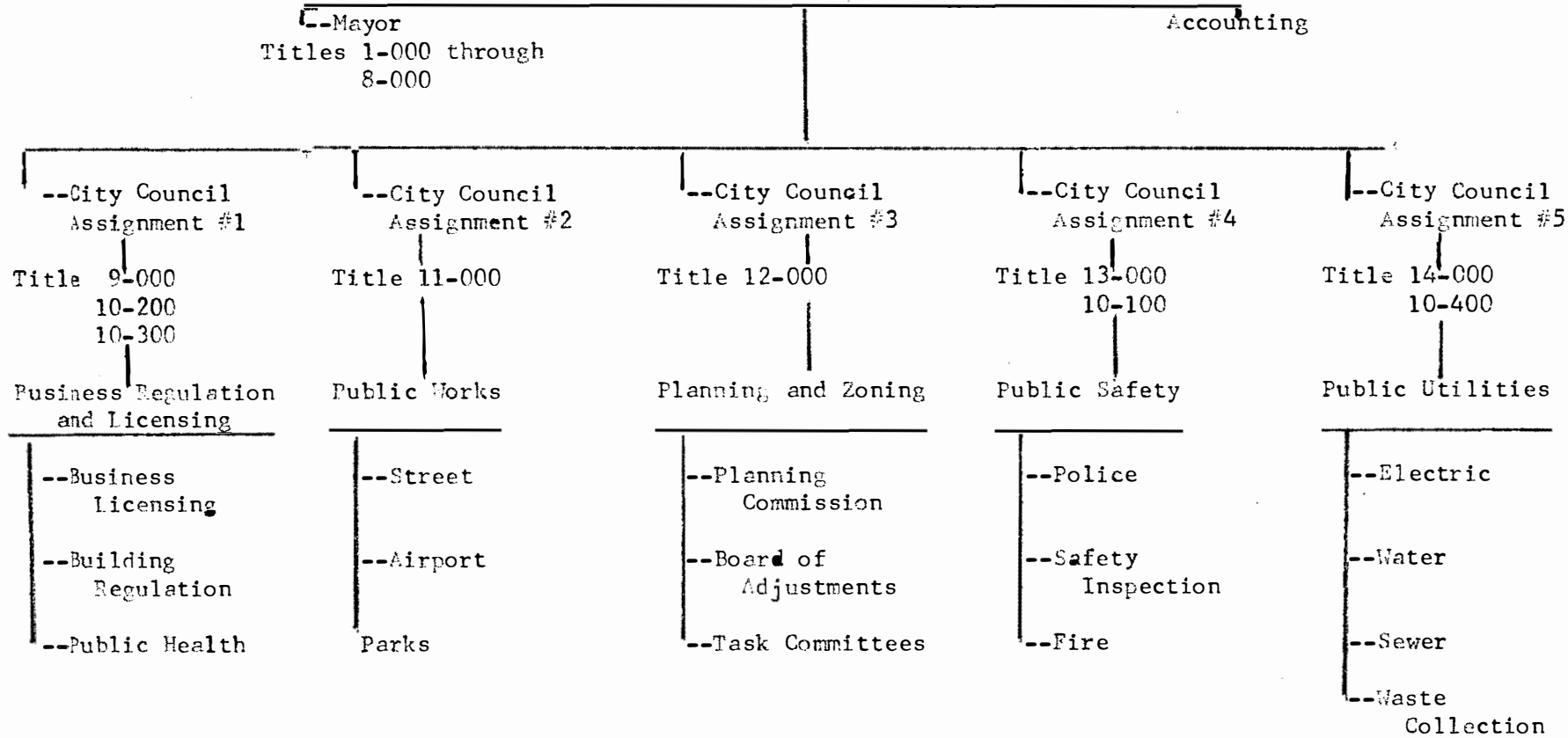
Motion for adoption of the Ordinance No. 1980-1 was made by Councilman Bradford and seconded by Councilman Black, voting on the motion being as follows:

Those voting "aye": Council member Black
Council member Bradford
Council member Hunt
Council member Lyman
Council member McDaniel

Those voting "nay": None
constituting all the members thereof.

Whereupon the Mayor declared the motion carried and Ordinance No. 1980-1 duly adopted.

CITY OF BLANDING
Governing Body
(Mayor and Council)
City Manager



8. Councilman Black discussed the need for meeting with the Blanding Irrigation Company and San Juan County Water Conservancy District officials relative to water rights and possible available culinary water. Councilmen Black and Bradford will arrange to meet with these entities and prepare information for discussion and consideration by the Council.
9. With the advise and consent of the Council, Mayor Gibbons reappointed Mr. Hugh Kirkham to serve a four year term as a member of the Blanding City Planning Commission effective February 1, 1980 and ending January 31, 1984.
10. Councilman Bradford presented the following organization chart for consideration by the Council:

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the foregoing chart be accepted and approved as the Official Blanding City Organizational Chart.

11. Councilman Hunt inquired as to official appointment of a City Health Board and was advised that Mayor Gibbons will appoint two other members to serve with himself as the official board.

The Council agreed that the Health Board should be separate from the Health Facilities Task Committee serving under the direction of the Planning Commission.

12. The following letter was read to the Council by Councilman Lyman:

City of Blanding
Police Department
Box 68
Blanding, Utah
December 21, 1979

Francis M. Lyman
Councilman For Public Safety
City of Blanding
Blanding, Utah 84511

Dear Bishop Lyman:

We would like to propose that all intersections on 2nd North east of 3rd West be controlled by stop signs.

We have had several accidents and near accidents at these intersections due to drivers not slowing down for yield signs. There is no control at 2nd North and Main as of this date.

We feel that stop signs along 2nd North would provide better traffic control and much safer traveling conditions for the entire community.

Sincerely,
S/ J. B. Wright, Chief of Police
S/ Philip L. Palmer, City Engineer

The Council declined to take action on this matter pending receipt of results from a Safer Streets and Sidewalks street sign survey currently authorized for funding by the Utah Department of Transportation under the direction of the San Juan County Surveyor.

13. The following letter was read in full to the Council by Councilman Lyman:

Police Department
Box 68
Blanding, Utah
December 21, 1979

Francis M. Lyman
Councilman For Public Safety
City of Blanding
Blanding, Utah 84511

Dear Bishop Lyman:

I would like to request that Patrolman Tom Austin be given a pay increase effective the earliest possible date.

Tom has proven to be a very effective and dependable Officer. He works well with the public and other agencies. Tom always puts in the most overtime hours and will help in any situation that he is aware of. He is the department investigator and has solved several difficult crimes.

I hope that you can support me in this request. Thank you for all your support and assistance.

Sincerely,
S/ J. B. Wright
Chief of Police

Motion was made by Councilman Lyman, seconded by Councilman Hunt and unanimously carried that Patrolman Thomas E. Austin be awarded a salary increase of \$100.00 per month, for a total monthly salary of \$1,000.00.

14. Councilwoman McDaniel expressed concern for completion of the sewer line project on North 1st West street and that the intersection of 4th North and 1st West Street be restored to normal travel status.

15. The Recorder advised that the Federal Sewage Works Grant C 490201-01 (Step 1) Grant Increase request forms, together with the required revised Amendment 1 and supporting documents to the Blanding City-Henningson, Durham and Richardson, Inc. of Colorado, Engineering Agreement, have been executed and returned to the pertinent parties.

16. The Engineer read the following letter to the Council:

State of Utah
Office of the Governor
Salt Lake City, Utah
December 7, 1979

The Honorable De LaMar Gibbons
Mayor of Blanding City
P. O. Box 68
Blanding, Utah 84511

RE: Alexander Park

Dear Mayor Gibbons:

I am pleased to inform you that the Alexander Park application, which was submitted to the Utah Outdoor Recreation Agency for federal assistance under the Land and Water Conservation Fund program, has been approved by the State of Utah in the total amount of \$80,000.00. Should you have any questions concerning your application, please contact

Utah Outdoor Recreation Agency
807 East South Temple; Suite 101
Salt Lake City, Utah 84102
Phone: 533-5691


I appreciate your willingness to provide additional recreation opportunities to further improve the quality of life within your community. Please extend my sincere appreciation to those individuals who will be working to see this project through to completion.

Sincerely,
S/ Governor

17. The Engineer reported that there has been no word to date on the status of the City's HUD Small Cities Programs Application.

18. The Council discussed the necessity for obtaining from Energy Fuels Nuclear, Inc., a formal, written statement corroborating their verbal commitment to participate in costs of drilling a water well for the City, in the amount of \$80,000.00. The Recorder will write to Mr. Robert W. Adams, Chairman of the Board, Energy Fuels Nuclear, Inc. and request the needed statement of their intent to participate in the water well development costs.

Meeting adjourned at 11:35 P.M.


Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JANUARY
23, 1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Also present were: George M. Low, Justice of the Peace; and Mr. Kirk P. Nielson.

1. Prayer was offered by Councilwoman McDaniel.
2. Minutes of City Council meeting held January 9, 1980 were approved.
3. Councilman Black discussed with the Council the conditions at the rear of the Flower Shop - Professional Building - Pay Day Drug Co., - Family Footwear-- Holliday Construction Co. area, resulting from illegal and unsanitary use by indian people. It was agreed that Councilman Black should discuss with the property owners the fencing of the area to preclude unauthorized entrance.
4. Motion for adoption of the following ordinance was made by Councilman Lyman:

ORDINANCE NO. 1980-2

AN ORDINANCE CREATING THE OFFICE OF CITY ENGINEER

3-927. CITY ENGINEER. There is hereby created the office of City Engineer, the duties of which office, under the direction of the Mayor, City Council and City Administrator shall be as follows:

Section 1.

- A. Custodian of records of public improvements. The City Engineer's office shall be an office of record for all maps, plans, plats, profiles, drawings, final estimates, specifications, contracts, which in any way relate to the public improvements and engineering affairs of the City. The Engineer shall be custodian of and must keep, all the drawings and documents above mentioned on file and of record.
- B. Books and Supplies - recording, filing, inspection. The City Engineer's office shall be supplied with all necessary books, cases and supplies for recording and filing as herein required. The City Engineer shall record and file all drawings and documents pertaining to public lands and improvements of the City. Those made in his office shall be placed on record as soon as completed and shall then be open for public inspection, and any person copying the same or taking notes therefrom may do so in pencil only. He shall keep the records and files in good condition and turn the same over to his successor in office. He shall allow no alteration, mutilation or changes to be made in any matter of record, and shall be held strictly accountable for the same.
- C. Fees to be paid in advance. The City Engineer shall not record any drawings or instruments, or file any papers or notices, or furnish any copies, or render any service connected with his office, until the fees for the same are paid or tendered as prescribed by law or ordinance.

- D. Project plans, specifications and documents. The City Engineer, when directed, shall prepare project plans, specifications and related documents for improvement of City utilities, streets inclusive of traffic control, buildings and structures, drainage and flood control systems, parks and playgrounds, land-fill sites and all City property requiring engineering consideration. He shall do required land surveying and map preparation, including but not limited to, street, utilities and zoning maps. He shall perform such other duties and functions as may from time to time be prescribed by those under whose direction he serves.
- E. The City Engineer shall be provided with a seal by the City for use, containing the words, "Blanding City, Utah. Engineering Department." Such seal shall be affixed to every certification or approval.
- F. Recordation not to interfere with other recordation. The recording or filing of any drawing or instrument in the City Engineer's office shall not interfere or conflict in any way with the recording or filing of the same in other offices of record.

Section 2. Appointment - Term of Office. The office of City Engineer shall be appointed by the Mayor, by and with the advise and consent of the City Council for a term not to exceed two (2) years, such term to be renewed effective the first Monday in February following municipal elections.

Section 3. Effective date. In the opinion of the City Council, it is necessary to the peace, health and safety of the inhabitants of the City of Blanding that this ordinance become effective immediately upon its first posting.

PASSED, ADOPTED and APPROVED this 23rd day of January, 1980.

S/ DeLamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

The motion was seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "aye": Councilman Black
Councilman Bradford
Councilman Hunt
Councilman Lyman
Councilman McDaniel

Those voting "nay": None
constituting all the members thereof.

WHEREUPON the Mayor declared the motion carried and Ordinance No. 1980-2 duly adopted and approved.

5. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried:

RESOLUTION NO. 1980-1

A RESOLUTION CONFIRMING APPOINTMENT OF CITY OFFICIALS

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor appointing Francis D. Nielson to the offices of Recorder, City Administrator and Director of Finance; Velda J. Nielson, Treasurer; John B. Wright, Marshall (Ex-Officio Chief of Police); Philip L. Palmer, Engineer, for a period not to exceed two (2)

years commencing February 4, 1980, be, and the same is hereby, ratified, confirmed and consented to by the City Council.

PASSED, ADOPTED and APPROVED this 23rd day of January, 1980

S/ DeLamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

6. The following resolution was read in full to the Council:

RESOLUTION NO. 1980-2

A RESOLUTION CONFIRMING APPOINTMENT OF A JUSTICE OF THE PEACE

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor appointing George M. Low to the office of Justice of the Peace for a period not to exceed four (4) years commencing February 4, 1980, be, and the same is hereby, ratified, confirmed and consented to by the City Council.

Councilman Bradford stated that at a previous meeting of the Council he had indicated some reservations relative to the conduct of the Justice of the Peace and Justice Court; that those reservations were partially the result of a telephone conversation with the Justice of the Peace; and that subsequent to the referenced meeting and telephone conversation he had conducted a limited poll of the citizenry relative to the handling of the Justice Court and found that 75% of those contacted indicated satisfaction with it. Motion was then made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the foregoing Resolution No. 1980-2 be adopted and approved.

7. Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously approved:

RESOLUTION NO. 1980-3

A RESOLUTION AUTHORIZING EXECUTION
OF A COOPERATIVE AGREEMENT WITH THE
DEPARTMENT OF TRANSPORTATION FOR
CURB, GUTTER AND SIDEWALK CONSTRUCTION

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between the City of Blanding and the Utah Department of Transportation, dated August 1, 1979 and known as "Pedestrian Safety Project Agreement, 4th South to 5th South and 1st East to 2nd East, Project #490-427"; a copy of said agreement to be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 23rd day of January, 1980.

S/ De Lamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

8. Mayor Gibbons reported that Dr. James Redd and Mr. Steven Bronson have agreed to serve with him as the Blanding City Health Board.

9. Mayor Gibbons advised that he had been contacted by Mr. Clarence Rogers relative to memorializing two early City residents, Mr. Walter C. Lyman and Mr. Joseph B. Harris for their area contributions. It was agreed that the matter could be a function of City Advertising and Promotion, and should be given consideration by the Councilman so assigned.

10. Status of the Camp Jackson Reservoir was again discussed. It was agreed that the Engineer should write the State Engineers office advising of plans for studying alleged repair needs and of the Citys' intent to utilize the reservoir on a limited basis during the ensuing winter season.

11. Councilman Black discussed with the Council the responsibilities, service, qualifications and salaries of City Employees Gerald M. Black and Jay W. Palmer.

Motion was made by Councilman Lyman, seconded by Councilman Black, and unanimously carried that the salaries of Gerald Black and Jay W. Palmer be increased to \$1,120.00 per month.

12. At the request of Councilman Black, the Council discussed possibilities for funding capital projects. A Water and/or Sewer systems Service surcharge to yield \$2,000.00 per month as apposed to bonding was suggested. Following rather lengthy discussion of the matter it was concluded that further action should await a capital improvements funding proposal currently under study by Mr. Lyle Larson, Investment Officer, First Security Bank of Utah.

13. Councilman Bradford discussed with the Council the utilization of Task Committees in the areas of Health, Roads, Water and Recreation, functioning or to function under respective Council assignment.

14. The following letter was read in full to the Council by Councilman Lyman:

City of Blanding
Police Department
January 21, 1980

Francis M. Lyman
Councilman For Public Safety
City of Blanding
Blanding, Utah

Dear Bishop Lyman:

George Jones has indicated that he will not be in a position to work full-time for the Police Department in the foreseeable future. George's training has been very slow due to his only working on weekends. It is important that we have an additional full-time patrolman as soon as possible.

Job Service has been contacted and two individuals have expressed a desire to work as a patrolman, Paul Foreman and Mark Ewart.

Paul Foreman is mature, in good physical condition, and could probably complete the academy with no problems. If he would be successful as an officer is unknown. Until someone starts working as a police officer, it is difficult to judge how well he will do and if he can stand the pressures of the job. It would take approximately three months to train Paul to where he could work without direct supervision.

Mark Ewart has been a part-time officer for the City of Blanding for one year. He is mature, in good physical condition and has a lot of experience and training in being a police officer. Mark is a very loyal individual. He will come to work with ten minutes notice and on occasion has left his business to assist the police department. Mark has worked many hours without

compensation to help the other officers. We know that Mark can be a successful police officer and what area's he needs to improve in. Mark could work without direct supervision immediately.

I would like to recommend that we hire Mark Ewart as a full time police officer effective February 1, 1980, at the same salary scale as we paid George Jones.

Thank you for all your help and counsel.

Sincerely,

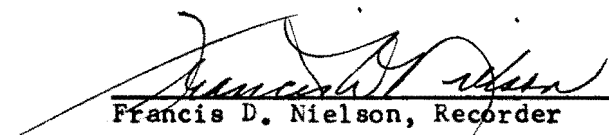
S/ J. B. Wright
Chief of Police

Motion was made by Councilman Black, seconded by Councilman Lyman and unanimously carried that the City hire Mr. Mark Ewart as a Patrolman in the Police Department at a salary of \$900.00 per month.

15. Councilwoman McDaniel discussed the necessity for having snow cleaned from sidewalks. It was concluded that the City should attempt to clear sidewalks of snow either by utilizing the City tractor with a blade attachment or when possible, utilizing a San Juan County front-end loader.

16. Councilwoman McDaniel discussed the necessity for sewer collection system maintenance and types of sewer system maintenance equipment.

Meeting adjourned at 10:55 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD FEBRUARY
13, 1980 AT 8:00 P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
City Attorney: Grant A. Hurst

Absent was Councilman Bruce N. Black

(Councilwoman McDaniel was called from the meeting at 8:30 P.M. Councilman Hunt entered the meeting at 9:10 P.M.)

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held January 23, 1980 were approved.
3. Mayor Gibbons reported that the White Sands Missile Command will conduct firing tests in the area at an as yet undisclosed date; and that the tests will include launching of missiles to pass over or near the City of Blanding. The Mayor further stated that no evacuation of residents is anticipated during the proposed missile testing.
4. In the matter of possibly memorializing early founders of the City, Mayor Gibbons suggested the area of the 3rd and 4th reservoirs, inclusive of the access road to the same, be called the Walter C. Lyman Parkway. Councilman Lyman suggested that members of the Walter C. Lyman family should be contacted prior to effecting the proposed memorialization.
5. Motion for adoption of the following resolution was made Councilman Bradford; seconded by Councilman Hunt and unanimously carried:

RESOLUTION NO. 1980-4

A RESOLUTION CONFIRMING APPOINTMENT
OF A CITY ATTORNEY

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the action of the Mayor appointing Grant A. Hurst to the office of City Attorney for the period from date hereof to and including January 31, 1982, be, and the same is hereby, ratified, confirmed and consented to by the City Council.

PASSED, ADOPTED and APPROVED this 13th day of February, 1980.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

6. The Council discussed with the City Attorney, the matter of Utah Power and Light Company's request to the Federal Energy Regulatory Commission for right to increase power rates to its' wholesale customers, which request is currently under protest to the Commission by such wholesale customers. Currently, Utah Power and Light Company has proposed that in consideration of waiver of a questionable contract provision requiring final approval of their rate increase requests by the Federal Energy Regulatory Commission before such may become effective, they will refund all payments in excess of the rate schedule in effect at August 31, 1979 through December 31, 1979 together with

interest pegged at the current prime rate; and further, they will declare a moratorium on rate increases to wholesale customers for the Calendar year 1980. The City Attorney advised that the wholesale customers Washington, D. C. Council has recommended acceptance of the Utah Power & Light settlement proposal. The Council agreed that the formal settlement agreement should be reviewed prior to taking formal action on the matter.

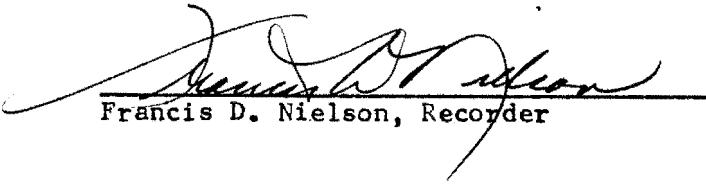
7. The City Engineer advised the Council that Mrs. Camilla Mikesell desires to convert a concrete block barn at approximately 145 North Highway 163, into an apartment unit. He suggested that the Council keep the matter in mind relative to granting of a variance should such be later recommended by the reviewing agencies.

8. The City Engineer discussed with the Council a cooperative program between the City and Richard Thomson, Registered Land Surveyor, wherein Mr. Thomson would install intersection center marker boxes if the City would purchase the materials. The Council agreed that the City should cooperate in this program.

9. The Recorder reported that the Utah Division of Natural Resources, Water Resources Board, has informed the City that their funding proposal to the Utah State Legislature was only partially granted and as a result of their action, the loan to the City of Blanding for water well purposes will be reduced from \$250,000.00 to \$200,000.00.

10. Councilman Hunt advised the Council that Energy Fuels Nuclear, Incorporated, desires to locate jet fuel facilities at the Blanding Airport, consisting of a large surface storage tank and a fuel dispensing truck. The Council agreed that Energy Fuels Nuclear, Incorporated may locate and operate jet fuel facilities at the Blanding Airport subject to approved, satisfactory agreement to hold Blanding City harmless from any liability claims which may arise out of the location and operation of such facilities.

Meeting adjourned at 10:55 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD FEBRUARY
27, 1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
City Fire Chief: Lynn A. Wright

Also present were: Mr. Lyle Larson, Mr. Greg Christensen and Mr. Jerry Westring of First Security Bank

1. Prayer was offered by Councilman Bradford.
2. Minutes of City Council meeting held February 13, 1980 were approved.
3. Mr. Lyle Larson, Investment Officer, First Security Bank, discussed with the Council possible bonding programs for capital improvements funding. He suggested holding required elections now to obtain authority for sale of bonds at that time when interest rates become more favorable. He proposed a General Obligation-Revenue Bond combination sale consisting of 350,000 G. O. Bonds and 1,165,000 Revenue Bonds, the G. O. Bonds and 565,000 of the Revenue Bonds to be offered at public sale, and 600,000 of the Revenue Bonds to be a Farmers Home Administration loan. Following considerable discussion, the Council indicated agreement with the general proposal.
4. Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that:
 1. Items 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the water master plan be approved and given funding priority.
 2. Necessary action be commenced for holding a bond election to obtain authority for sale of General Obligation and Revenue Bonds to finance the approved water system projects.
5. Councilman Black reported that the following individuals have been appointed to and agreed to serve on a Water System Improvements Task Committee:

Don Ellis Smith, Chairman
Kenneth P. McDonald
Clisbee N. Lyman
Norman F. Nielson
Kenneth D. Shumway
Bruce N. Black
6. Councilman Bradford stated that persons involved in sale and distribution of Amway Products have expressed concern for having to pay a \$5.00 City license fee when a possibility exists that sellers and distributors of other products are not required to pay such a fee. The Recorder advised that all known retail merchants and vendors are assessed an annual license fee.
7. Councilman Bradford advised that his letter of February 22, 1980 to the Mayor, Council and Administration anticipated adopting a plan of action such as has now been done with respect to the water system and that such a system could be applied to all other departments of the City.
8. Councilman Lyman advised the Council of the proposed "closed-campus" operating policy to be initiated by San Juan High School in the near future and of their desire for the cooperation of the Blanding Police Department relative to policy enforcement. The council agreed that the City would lend support to the proposed policy.

9. Lynn A. Wright, Fire Chief, presented the 1979 annual fire loss report for Blanding City and discussed with the Council, Fire Department equipment needs.

The Council agreed that Councilman Lyman should endeavor to have a Task Committee appointed at the County level to study fire protection needs and attempt to develop a comprehensive interlocal government cooperative fire protection program and operating policy.

10. Councilwoman McDaniel inquired as to the status of the Dog Pound and Sidewalk construction projects. The Recorder advised that both projects will commence as soon as the weather permits.


The Engineer stated that the 5th North-1st West Street Sidewalk project commencement must await the completion of the area sewer project by E. A. Black Plumbing and Heating, which has been promised for the week beginning March 10, 1980.

11. Mayor Gibbons discussed with the Council the possibility of making the 120 horse power submersible pump motor and protector available to Energy Fuels Nuclear, Inc. as a backup unit for their water wells to offset a portion of the \$80,000.00 which they have verbally committed to the drilling of the deep water well by the City. The Engineer advised that he had been in contact with Energy Fuels Nuclear, Inc. personnel and they indicated interest in the unit and would contact the City at a later date relative to the matter.

12. The Engineer reported the following items to the Council:

- A. San Juan High School vocational students are commencing the construction of a residence, to be moved away from the City upon its completion. No construction permit fee was assessed on this building.
- B. During the month of December, 1979 the City received an unsatisfactory report on a sample of water submitted to the Utah Department of Health for bacteriological analysis, probably resultant from contamination during the sampling process, which required public notification of such report through local radio station announcement.
- C. Resultant from apparent court action a drilling contractor has been hired to attempt completion of the Monticello City Water Well project. Following completion of the Monticello project, the contractor has indicated he may be available for necessary maintenance at the Blanding City Southeast well.

Meeting adjourned at 11:45 P.M.


Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
MARCH 12, 1980 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City attorney: Grant A. Hurst

Absent were:

City Councilmembers: Bruce N. Black
Jon L. Hunt

Also Present were: Mr. Rayburn Jack, Administrator, San Juan Nursing Home;
Mr. Eugene Blickenstaff, Commissioner, Utah Water Users
Association; Mr. David L. Guymon; Mr. Pete M. Black and
27 members of the Boy Scouts of America.

1. Prayer was offered by Councilwoman McDaniel.
2. Minutes of City Council meeting held February 27, 1980 were approved.
3. At the request of Mrs. Barbara Kuipers, motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the City advise Newspaper Agency Corporation, by letter, that the decision of said Corporation to withdraw the daily circulation or distribution of the Deseret News and Salt Lake Tribune from the area is adverse to the area interest.
4. Mr. Rayburn Jack, Administrator, San Juan Nursing Home, discussed with the Council, a current study being carried out in the Community and area relative to health services needs. The study involves the following:
 1. Availability of community financial support.
 2. Community voluntary health services.
 3. Evaluation of existing facilities.

He stated that San Juan County had commissioned a health care study to be completed by Intermountain Health Care Services which study will be completed and presented to the public at a meeting to be held in the San Juan County Library in Blanding on March 17, 1980.

Mr. Jack also advised the Council that Advance Health Systems, a national management firm is now operating the I. W. Allen Hospital in Grand County and is interested in operating health facilities in San Juan County, inclusive of the Utah Navajo Development Councils' clinics.

5. Mayor Gibbons advised the Council that Trans West Air Service plans discontinuance of air service to the Blanding Airport in the near future. The Council agreed that the Recorder should express their regret at this decision and suggest their reconsideration, followed by an advertising program which would alert the public to the available service.
6. Mr. Eugene Blickenstaff, Commissioner, Utah Water Users Association, advised the Council of the functions and purposes of the Association and requested the City to make a \$100.00 contribution to the same.

Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the City of Blanding purchase membership in the Utah Water Users Association for the Calendar year 1980 for a fee of \$100.00.
7. Councilman Bradford reported on his and Councilwoman McDaniels' attendance at a meeting with San Juan County and Monticello City officials relative to the County-City cooperative street maintenance and construction program. The discussion centered around the necessity for a uniform in-city construction and maintenance policy, and a program for control of street and highway construction in the areas adjacent to the incorporated cities. Planning

commissions and task committees of the involved entities will further study and prepare proposals for handling of these matters.

8. Councilman Lyman advised that the Police Department has initiated a Safety Education program in the elementary schools, under the direction of Patrolman Gutke.

9. Councilwoman McDaniel advised the Council of discussions with the local Utah Department of Transportation Maintenance Foreman relative to the Departments' responsibility for cleaning and maintaining as well as replacing damaged portions of the curbs, gutters and drainage system which have been installed in the U. S. Highway 163 right-of-way through the City. The maintenance foreman advised that he will obtain a detailed delineation of his responsibilities in this matter, from the UDOT District Office at Price, Utah.

10. The City Attorney advised the Council that the settlement agreement with Utah Power and Light Company under Federal Energy Regulatory Commission Docket No. ER 79-121 should be executed.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Bradford and carried unanimously:

RESOLUTION NO. 1980-5

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between Utah Power and Light Company and Tri-State Intervention Group, known as Settlement Agreement Between Utah Power and Light Company and Tri-State Intervention Group On Limited Issue; and that the said agreement be made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 12th day of March, 1980.

DeLamar Gibbons, M. D.
Mayor

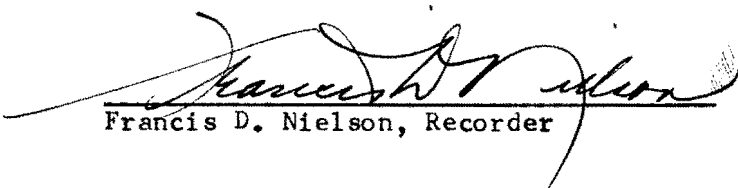
ATTEST:

Francis D. Nielson
Recorder

11. The Recorder reported to the Council that the Federal Aviation Administration has advised that the proposed airport runway extension project has been approved for funding for the current Federal Fiscal year at 90.94% of cost; and that the revised project costs, inclusive of land purchases is approximately 356,704.20.

12. Councilman Bradford agreed that in connection with his assignment relative to Community Promotion and Advertising, and subject to authorization of pertinent family members, he will pursue the accomplishment of memorializing the efforts of certain community founders, during the current Hole-In-The-Rock Centennial year, with the actual ceremonies targeted for July 5, 1980.

Meeting adjourned at 10:15 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MARCH 26,
1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Absent were Councilmen: Bruce N. Black
Jon L. Hunt

Also Present was: Mrs. Marsha Keele

1. Prayer was offered by the Engineer.
2. Minutes of City Council meeting held March 12, 1980 were approved.
3. The following letter was read in full to the Council:

State of Utah
Department of Health
Division of Environmental Health
150 West North Temple
P. O. Box 2500
Salt Lake City, Utah 84110
March 4, 1980

Honorable Mayor and City Council
Blanding City Corporation
P. O. Box 68
Blanding, Utah 84511

RE: Blanding City Corporation
Facilities Rerating

Gentlemen:

New regulations were recently adopted for the public water supply systems in the State of Utah. Incorporated within these regulations was a modified system for rating public water supplies. Enclosed you will find an explanation of the ratings and criteria used in assigning them.

A review of the information in our files pertaining to your system indicated that, while there are some uncertainties surrounding the status of your physical facilities, the quality of the water supplied does meet State drinking water standards. In the near future a survey of your system will be scheduled to access the current status of the physical facilities.

In the meantime, the Blanding City Corporation facilities are hereby rated "Approved" effective immediately. The assignment of this rating is contingent upon adherence to the requirements of Section 2.0 of the enclosed Utah Drinking Water Regulations. Therefore, this rating must be considered temporary and subject to change if significant system deficiencies are observed or if unsatisfactory quality water is experienced.

We are pleased to be able to upgrade your water system rating and trust that you will continue to qualify for an "Approved" rating. Should you have any questions concerning this correspondence, please contact this office.

Sincerely,
Utah Safe Drinking Water Committee
S/ Gayle J. Smith
Executive Secretary

4. Mayor Gibbons reported on his attendance at a meeting in Salt Lake City relative to the completion of the 1980 Federal Census wherein the importance of accuracy and the necessity for cooperation of the citizenry were discussed.

5. Councilwoman McDaniel reported City officials attendance at a meeting with County and Monticello officials relative to Street and Road construction and maintenance programs and policies. The County Commission has requested the City to prioritize its road construction projects and has indicated that San Juan County will not undertake any street construction within the City where curbs and gutters are not in place. The following individuals were appointed to a task committee for formulating street and County road construction and maintenance policy pertaining to in-city and perimeter service areas:

William Dunow, Chairman
Merz Hugentobler
Hugh Kirkham
LaRue McDaniel
George Rice
Philip L. Palmer, Blanding City Engineer and
Douglas Pehrson, San Juan County Surveyor

were assigned to the Committee as technical consultants.

6. Mayor Gibbons notified the Council that the dedication of the Solar Plant at Natural Bridges National Monument, is scheduled for June 7, 1980.

7. Mayor Gibbons suggested to the Council that some civic organization in the Community or the City of Blanding should prepare a brochure relative to the available services within the City, for distribution to developing areas west and south of Blanding.

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the Blanding Chamber of Commerce be requested to prepare a brochure relative to facilities and services available in the City of Blanding; and that, should the Chamber of Commerce indicate no interest in the proposal, the City have such a brochure prepared under the direction of the Advertising and Promotion Department.

8. Councilman Bradford reported to the Council his meeting with the San Juan County Water Conservancy District Board wherein the following items were discussed:

- A. The failure of the Utah State Department of Transportation to select and obtain a Right-of-Way from the Department of the Interior for re-routing of U. S. Highway 163, is currently delaying scheduling further work on the Recapture Dam project.
- B. A conservation pool will be maintained in the Recapture Reservoir which water could be made available to the City of Blanding in emergency situations.
- C. The feasibility of the Recapture project would be enhanced by the financial participation of Blanding City, however minimal.
- D. Members of the Water Conservancy District Board will attend the May meeting of the Planning Commission to further discuss the Recapture Project.

9. Councilman Lyman advised that he has discussed the proposed Walter C. Lyman memorial with some family members who have indicated approval of the proposal, and that the family organization will meet within the next week to formally consider the matter. He will communicate their decision to Councilman Bradford as soon as it is received to permit it being included with other items being considered by those responsible for planning the events anticipated in connection with a Founders Day program scheduled for July 5, 1980.

10. Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City purchase a 1980 Buick LeSabre, Lawmen Package, from Redd's, Monticello, Utah for a bid price of \$6,927.00; said automobile to be delivered by July 1, 1980 with payment for the same to be effected not later than July 10, 1980.

11. Councilwoman McDaniel reported she received a communication from Mr. Sterling W. Davis, Engineer, Utah Department of Transportation District No. 4, indicating that the local Department of Transportation maintenance division has responsibility for total maintenance of U. S. Highway 163 within the corporate limits of Blanding City, inclusive of street cleaning, and that such maintenance work has to be scheduled as a part of their total responsibility. Mr. Davis also advised that their street marking equipment is in a state of disrepair and they are unable to assist the City in a needed street marking program.

Mrs. McDaniel advised that she will make further contact with the local Utah Department of Transportation maintenance supervisor relative to necessary maintenance on U. S. Highway 163.

12. The Engineer advised that the sewer project on 1st West Street between 4th and 5th North Streets is now complete excepting for final backfilling, and that curb and gutter installation scheduled for that area will commence as soon as the Main Street Sidewalk project is completed.

The Engineer also reported that the Community School Group Sidewalk Committee should prioritize the areas of sidewalk construction in connection with the 1st West Street project.

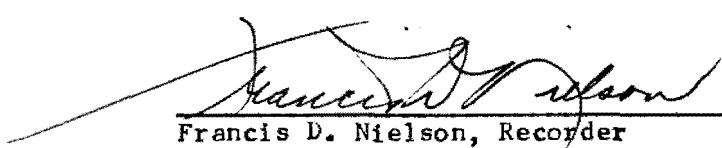
13. The Recorder notified the Council that Mrs. Cecilia Tibbitts is the 1980 Federal Census Crew Leader for San Juan County and that all questions relative to the 1980 Census should be directed to her.

14. Following a discussion of the appraised value of the land necessary to proposed airport improvements, the Council agreed that the Utah Department of Transportation should negotiate the purchase of said land.

15. Mayor Gibbons confirmed the reappointment of Mr. George A. Jones to the Zoning Board of Adjustment for the period from date hereof to and including May 31, 1984.

16. The Council discussed the status of the 200 East street right-of-way between U. S. Highway 163 and 100 North Street. It was determined that such right-of-way may not be disposed of.

Meeting adjourned at 9:45 P.M.



Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD APRIL 9,
1980 at 8:00 O'CLOCK IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon I. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

City Attorney: Grant A. Hurst

Also present were: Mr. Curt Pehrson, Planner, Southeast Utah Association of Governments; Mr. Keith W. Black; Mr. Ben Hendricks; Mrs. Marsha Keele.

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held March 26, 1980 were approved.
3. Mr. Curt Pehrson, Planner, Southeastern Utah Association of Governments discussed the following items with the Council:

A. Farmers Home Administration, 601 Program Funds.

The City of Blanding has two planned projects, eligible for some funding under the Farmers Home Administration, 601 Program, land purchase for a raw water storage reservoir and land purchase, right-of-way and water transmission line associated with the Westwater Large Diameter Well project.

Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the City appropriate surplus bond redemption and interest sinking funds in the amount required for matching possible available Farmers Home Administration 601 Program Grant Funds on a 1 to 3 basis for the purpose of purchasing land for a raw water storage reservoir site, the proposed Westwater large diameter water well site, obtaining pipeline right-of-way and pipeline installation for transmitting water from the Westwater Well to the 1.0 M.G. water storage reservoir.

B. Community Attitude Survey.

Results of an earlier authorized Community Attitude Survey were delivered to the Council. The purpose of the survey was to obtain citizen input relative to priorities for spending taxes on municipal improvements and to rank recreation needs.

4. Mr. Ben Hendricks discussed with the Council a proposal of Four Corners Public Broadcasting, Inc. to establish a public broadcasting facility in the area.

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the City of Blanding issue a letter of general support for the establishment of a public broadcasting station in the area; and that, subject to making arrangements for disposition of Civil Air Patrol equipment and supplies currently stored in Room 208 of the City Office Building, the same be made available as an office for Four Corners Public Broadcasting, Inc. for a period of one year from date hereof.

5. Mayor Gibbons advised the Council that the Utah State Department of Health will conduct a public hearing at the Salt Lake City-County Health Department Auditorium on June 18, 1980, for the purpose of finalizing the fiscal year 1981 priority listing of wastewater treatment plant construction grants.

6. Councilman Black reported that the Water Task Committee has recommended the City purchase any available Blanding Irrigation Company water stock, and that the City consider entering into an agreement with the Blanding Irrigation Company to assume fifty percent of their \$20,000.00 annual obligation in connection with the Recapture Dam project, in exchange for water to be delivered to the City system.

Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the City negotiate with Blanding Irrigation Company for delivery of water to the City system and for the availability of conservation pool water from the proposed Recapture Reservoir during periods of drought emergency, for which the City would assume a portion of the Blanding Irrigation Company obligation to be incurred in the Recapture Reservoir project; and that, subject to entering into

such an agreement with Blanding Irrigation Company, the City effect an increase in water rates of \$2.00 per month as the minimum charge or for the first 5,000 gallons used.

Motion was made by Councilwoman McDaniel, seconded by Councilman Hunt and unanimously carried that the City authorize the expenditure of not more than \$35,000.00 from surplus operating funds, for the purchase of available Blanding Irrigation Company water stock.

In continuation of his report of the Water Task Committee meeting Councilman Black advised that improvements necessary to the North portal of the Indian Creek Tunnel and the problems relative to concrete ditch maintenance were discussed.

7. Councilman Bradford reported that the Recreation Task Committee will meet Saturday, April 11, 1980 at 4:00 P.M. to further study and discuss the possibilities of a cooperative recreation complex proposed for development in the area East of the Zenos L. Black Career Education Center, by San Juan County, San Juan School District and the City.

8. Councilman Bradford discussed with the Council the Founders Day Program scheduled for July 5, 1980. It was agreed that it should be a mid-morning program.

9. Councilman Hunt advised that Mr. Yves Gallet, operator of the Blue Mountain Ski Resort, has two backhoes for sale, and suggested the City investigate the purchase of one.

10. Councilman Lyman agreed to have the Police Department prepare and staff an information booth in connection with the upcoming School Science Fair.

11. Councilwoman McDaniel reported the following:

- A. The local Utah Department of Transportation Maintenance Foreman has indicated an uncooperative attitude relative to UDOT responsibility for necessary maintenance on U.S. Highway 163 through the City.
- B. Street lights have been requested and are needed at the corners of 2nd and 3rd West Streets on Continental Street.
- C. The Sidewalk Task Committee has established the following sidewalk construction priorities:
 - I. General Sidewalk Construction
 - 1. Main Street - both sides of street
 - II. County-City-Property Owner Cooperative Project.
 - 1. 5th North St. - West from Albert R. Lyman School to 1st West Street - North side of street only.
 - 2. 1st West Street - West side of street only, South from 5th North Street to 5th South Street, excepting that the area from approximately 150 North to 250 North should be delayed until proper drainage engineering shall be completed.
 - 3. 2nd North Street - North side of street only. 1st West to Main Street.
1st East, East approximately 315 feet.
 - 4. 1st East Street - West side of street only.
1st North to 2nd North Street
- D. The San Juan County Commission expressed the opinion that all property owners should be required to participate in adjacent curb, gutter and sidewalk construction costs.
- E. The safety signing project proposal has been completed and submitted to the State of Utah for approval.
- F. Increasing population and additional traffic is congesting the area around the local Postoffice warranting further consideration of residential mail delivery. Mrs. McDaniel will request the Postoffice Department to again consider this matter.

12. The Engineer-Building Official reported, and discussed the following matters with, the Council:

A. Required maintenance on the Johnson Creek or Upper Ditch is currently being completed by a City crew.

B. The water pressure control valve at the corner of 300 North and 4th West streets has been malfunctioning resulting in rapidly fluctuating water pressures in the Northwest area of the City. The valve is now being operated in an "open" status awaiting arrival of a technician from Water and Wastewater Services Company to advise on necessary repairs.

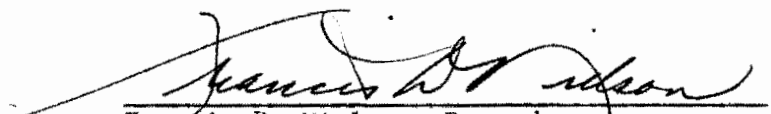
C. To date, no response has been received from consultants relative to our request for engineering assistance necessary to determining maintenance requirements at the Camp Jackson Reservoir dam.

D. Conditional Use Permits requested by the DeLamar Gibbons Family Corporation and Camilla Mikesell for apartment house construction in commercially zoned areas at approximately 460 South Main Street and 145 North Highway 163, respectively.

Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried that, subject to the obtaining of the required area signatures in approval of the proposal, the DeLamar Gibbons Family Corporation be granted a Conditional Use Permit for construction of apartment houses in the Commercially zoned area of Lot 4, Block 53, Blanding Townsite Survey, Plat A.

The Council declined to take action on the request of Camilla Mikesell for a conditional Use Permit at approximately 145 North Highway 163, pending further information and study on the matter.

Meeting adjourned at 12:05 A.M.


Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD APRIL 23,
1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent was Councilman Jon L. Hunt

Also present: Jared Lee Winder

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held April 9, 1980 were approved.
3. Motion for adoption of the following ordinance was made by Councilman Lyman:

BLANDING CITY ORDINANCE NO. 1980-3

AN ORDINANCE AMENDING #3-1106, CHAPTER 3-1100 OF THE
CODE OF REVISED ORDINANCES OF THE CITY OF BLANDING
RELATING TO THE DISCHARGE OR TRANSFER-APPEALS-BOARD-
PROCEDURE-OF CITY PERSONNEL.

WHEREAS, the City of Blanding is desirous of creating a uniform
policy in relation to employee grievance procedures, and;

WHEREAS, the City of Blanding is desirous of creating a uniform
policy relating to employee grievance appeal procedures;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF BLANDING, UTAH:

Section I. #3-1106, Chapter 3-1100, Code of Revised Ordinances
of the City of Blanding, as adopted by Ordinance No. 1978-1, is repealed in
its entirety.

Section II. A new Part 3-1106, Chapter 3-1100, is adopted as
follows:

3-1100. DISCHARGE OR TRANSFER-APPEALS-BOARD-PROCEDURE.

A. Discharge or transfer. No officer or employee covered
by section 3-1105 shall be discharged or transferred to a position
with less remuneration because of his politics or religious belief,
or incident to, or through changes, either in the elective officers,
governing body, or heads of departments. In all cases where any
officer or employee is discharged or transferred from one position
to another for any reason, he shall have the right to appeal the
discharge or transfer to a board to be known as the appeal board
which shall consist of five members, three of whom shall be chosen
by and from the appointive officers and employees, and two of whom
shall be members of the governing body.

B. Appeal procedure. All administrative appeals shall be
processed according to the following procedure:

(1) The appeal shall be taken by filing written notice
of the appeal with the recorder within ten days after the discharge
or transfer. Upon the filing of the appeal, the city recorder shall
forthwith refer a copy of the same to the appeal board. Upon receipt

of the referral from the municipal recorder, the appeal board shall forthwith commence its investigation, take and receive evidence and fully hear and determine the matter which relates to the cause for the discharge or transfer.

(2) The employee shall be entitled to appear in person and to be represented by counsel, to have a public hearing, to confront the witness whose testimony is to be considered, and to examine the evidence to be considered by the appeal board.

(3) In the event the appeal board upholds the discharge or transfer, the officer or employee may have 14 days thereafter to appeal to the governing body whose decision shall be final. In the event the appeal board does not uphold the discharge or transfer the case shall be closed and no further proceedings shall be had.

(4) The decision of the appeal board shall be by secret ballot, and shall be certified to the recorder within 15 days from the date the matter is referred to it. The board may, in its decision, provide that an employee shall receive his salary for the period of time during which he is discharged, or any deficiency in salary for the period he was transferred to a position of less remuneration but not to exceed a 15 day period. In no case shall the appointive officer or employee be discharged or transferred, where an appeal is taken, except upon a concurrence of at least a majority of the membership of the governing body of the municipality.

(5) In the event that the appeal board does not uphold the discharge, or transfer, the recorder shall certify the decision to the employee affected, and also to the head of the department from whose order the appeal was taken. The employee shall be paid his salary, commencing with the next working day following the certification by the recorder of the appeal board's decision, provided that the employee, or officer, concerned reports for his assigned duties during that next working day.

C. Appeal Board. There is hereby created an appeal board to consist of five (5) members, two of whom shall be members of the governing body and appointed by a majority vote of the governing body, and three of whom shall be chosen by and from the appointive officers and employees of the city. No member of the appeal board shall be employed by or administer the department for which the appealing employee works.

(1) Election notice.

(a) The initial board members chosen from the appointive officers and employees of the city shall be determined by the recorder giving notice to all appointive officers and employees that anyone interested in being on the appeal board must submit his name to be on the ballot no later than the 15th day of the month following the adoption of this ordinance. On the next following regularly scheduled day for city council meetings, the appointive officers and employees shall vote by secret ballot for three (3) separate persons to serve on the board until the election of the new board members pursuant to sub-part (b) below.

(b) On the first working day of each December the recorder shall give notice to all appointive officers and employees stating that anyone interested in being on the appeal board must submit his name to be on the ballot no later than the 15th day of December, to allow the recorder time to have the ballots printed.

(2) Election to board. On the first Tuesday of each new calendar year, or the next available day if the first Tuesday is a holiday, the appointive officers and employees shall vote by secret ballot for three (3) separate persons to serve on the board for a period of one (1) year. The city recorder will count the ballots. The individuals chosen shall then be placed upon an eligibility list

to serve on the appeal board. This list shall be in rank order according to the number of votes received.

(3) Vacancy on board. If a vacancy occurs on the board within the year, the members shall be replaced by the next highest vote getter, or, in the case of a member of the governing body, the mayor will appoint a replacement.

(4) Compensation. Members of the appeal board shall receive no compensation for services.

(5) Quorum. Three (3) or more members of the appeal board shall constitute a quorum sufficient to hear appeals.

(6) Board decisions. The decision of the appeal board shall be reached pursuant to the procedures set forth in sub-part B(4) above. The decision shall be revealed in the presence of the same members that voted. A simple majority of the quorum voting will determine the decision. A member may not abstain from voting. The voting shall be limited to upholding or reversing the decision upon the board.

Section III. In the opinion of the Blanding City Council, it is necessary to the peace, health, and safety of the inhabitants of the city of Blanding, Utah, and that Ordinance become effective immediately.

Section IV. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding, Utah this 23rd day of April, 1980.

S/ DeLamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

DATE OF POSTING: 4/24/80

Motion for adoption of the foregoing ordinance was seconded by Councilwoman McDaniel, voting on the motion being as follows:

Those voting "aye": Councilman Black
Councilman Bradford
Councilman Lyman
Councilwoman McDaniel

Those voting "nay": None

Absent: Councilman Hunt
constituting all the members thereof.

Whereupon the Mayor declared the motion carried and Ordinance No. 1980-3 duly adopted and approved.

4. Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that Councilmen Black and Bradford be appointed to the appeal board in accordance with Section II, Chapter 3-1100 C of Ordinance No. 1980-3.

5. Mayor Gibbons advised that owners of Canyonlands 21st Century Corporation have indicated they will oppose the issuance of residential building permits by the City in the area adjacent to their local plant site for fear of increasing pressure to further regulate and control plant emissions and odors at a cost currently prohibitive to the company.

The Council agreed that an evaluation of this matter should be obtained from controlling federal and state agencies.

6. Councilman Black reported completion of purchase of 10,000 shares of Blanding Irrigation Company water stock from Perkins-Shumway Livestock Company.

7. Councilman Bradford advised that following his meeting with members of the Blanding Chamber of Commerce relative to a proposed Founders Day Program, it was agreed that the program should be held July 5, 1980 at 9:00 A.M.

Councilman Bradford further advised that the Chamber of Commerce plans to conduct a parade and an evening fireworks display in connection with the ensuing Independence Day holiday celebration and they requested he present their verbal petition for parade and fireworks display permits.

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the Blanding Chamber of Commerce be issued permits for conducting a parade and a fireworks display in connection with the ensuing Independence Day-Founders Day celebration scheduled for July 3, 4 and 5, 1980.

8. Following discussion of the matter, the Council agreed that the Lyman Family Organization should provide the design for the Walter C. Lyman Memorial.

9. Councilman Lyman reported the Police Department presented a popular and commendable Traffic Safety display at the School Community Fair.

10. Councilwoman McDaniel inquired as to the reason for leaving the drainage pipe exposed north of the Kenneth Black residence on 5th South Street. The Engineer advised that it must remain in the present condition until such time as a heavy rain storm occurs which will indicate what type structure is necessary for handling the maximum amount of water there accruing.

11. Councilwoman McDaniel inquired as to the status of the Main Street and 5th North Street sidewalk projects. The Engineer advised that the Main Street project is nearing completion and that the contractor is scheduled to move to the 5th North Street project during the ensuing week.

12. The City Building Official, Philip L. Palmer advised the Council that the Zoning Board of Adjustment considered and approved the request of Camilla Mikesell for a Conditional Use Permit to remodel an outbuilding at approximately 145 North Highway 163, for use as a multiple family dwelling unit and recommended the City Council give their approval.

Motion was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried that Mrs. Camilla Mikesell be granted a conditional use permit for the remodeling of an outbuilding located at approximately 145 North Highway 163, for utilization as a multiple family dwelling unit.

13. Proposals for lease of pastureland lying adjacent to the Blanding Municipal Airport were opened, read aloud and duly tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
George A. Jones	\$342.50
Brig Stevens	\$357.00

Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the City accept the proposal of Brig Stevens for lease of pasturelands lying adjacent to the Blanding Municipal Airport for the period May 1 to December 31, 1980 for a fee of \$357.00.

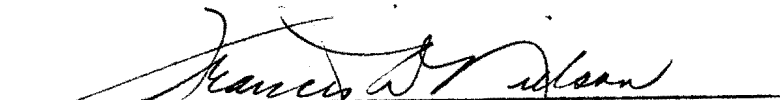
14. The Engineer and Recorder reported that negotiations are proceeding favorably for purchase of a reservoir site located in Section 3, Township 36 South, Range 22 East, SLB & M.

14. Motion was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried that the Recorder be authorized to proceed with the purchase of land necessary to the Runway extension and other programmed improvements at the Blanding Airport, subject to the land value appraisal completed by the Utah Department of Transportation.

16. Motion was made by Councilman Bradford, seconded by Councilman Black and unanimously carried that Mayor Gibbons be authorized to execute that certain agreement by and between the Utah Bureau of Outdoor Recreation and the City of Blanding relative to funding and developing the proposed Alexander Park.

17. Motion was made by Councilman Lyman, seconded by Councilman Black and unanimously carried that the City accept the proposal of General Adjustment Bureau in the amount of \$950.00 plus salvage in the matter of an accident involving the city owned 1974 model Ford sedan.

Meeting adjourned at 10:20 P.M.


Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
MAY 14, 1980 AT 8:00 O'CLOCK P.M.
IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Also Present: Mr. Lyle J. Larson, Assistant Vice President, First
Security Bank; Mr. Rex V. Harrison, Horrocks Engineers;
Mr. J. B. Fish and Mr. James Ramsey, McElmo Construction, Inc.

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held April 23, 1980 were approved.
3. Mr. J. B. Fish and Mr. James Ramsey of McElmo Construction, Inc., Cortez, Colorado, discussed with the Council their proposal to develop a housing project within the City, and requested a letter from the Council indicating no objection to their proceeding with their proposed project.
Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried that the City indicate by letter form, it has no objection to the housing development proposal of McElmo Construction, Inc. of Cortez, Colorado, subject only to their compliance with all applicable codes and ordinances.
4. Councilman Bradford introduced and moved the adoption of the following resolution, which was thereupon read in full and is as follows:

RESOLUTION NO. 1980-6

A RESOLUTION CONCERNING THE JOINT ELECTRIC, WATER AND SEWER SYSTEM OF THE CITY OF BLANDING, UTAH: PROVIDING FOR THE ISSUANCE AND SALE OF JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$200,000.00 (TO BE EVIDENCED BY A SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND IN THE AMOUNT OF \$200,000); PROVIDING OTHER DETAILS RELATING THERETO: RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH: AND REPEALING ALL ACTION IN CONFLICT HEREWITH.

WHEREAS, the City of Blanding (herein "City"), in the County of San Juan and State of Utah, is a legally and regularly created, established, organized and existing third class city under the laws of the State of Utah; and

WHEREAS, there is an immediate and pressing need for the City to issue its bonds for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line (herein the "Project") and all costs incident to the authorization and issuance of such bonds; and

WHEREAS, there are not sufficient funds in the treasury of the City available for the purpose; and

WHEREAS, at a special bond election held in the City on the 27th day of November, 1979, a majority of the qualified electors approved a proposal to authorize the City Council of the City (herein the "Council"), to issue and sell revenue bonds in the aggregate amount of \$250,000.00. or so much thereof as may be necessary, in one or more series, and to mature in not more than twenty (20) years

from their date or dates, for the Project, the question of the issuance of such bonds being in the following form:

Shall the City Council of the City of Blanding, San Juan County, Utah be authorized to issue and sell the negotiable, coupon, joint electric, water and sewer revenue bonds of the City in the principal amount of \$250,000, or so much thereof as may be necessary, in one series or more, said bonds to mature not more than twenty (20) years from their date or dates, for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station, and a water transmission line, and all costs incident to the authorization and issuance of such bonds, such bonds to be payable from the net revenues of the joint electric, water and sewer system, and such bonds to be issued and sold, upon such terms and conditions and with such other details as the City Council may determine?

; and

WHEREAS, the Council has not previously issued any of said bonds authorized at said November 27, 1979 election; and

WHEREAS, the City now owns and operates as a joint public utility an electrical, water and sewer system (herein the "joint system" or "system"); and

WHEREAS, the only outstanding bonds payable from the income or net revenues derived from the operation of the system or any part thereof and for the payment of which such income or net revenues is pledged are the "City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959" (herein the "1959 Bonds"), now outstanding in the principal amount of \$55,000, authorized by Ordinance No. 1959-1 and an amendatory Ordinance No. 1959-4, passed and approved on January 15, 1959, and on February 26, 1959, respectively, and the "City of Blanding, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1975" (herein the "1975 Bonds") now outstanding in the principal amount of \$125,000, authorized by Ordinance No. 1975-1 and Resolution No. 1975-6, both passed and approved on April 9, 1975; and

WHEREAS, said Ordinance No. 1959-1 was duly approved by the legal voters of the City of Blanding on the 17th day of February, 1959 and while such 1959 Bonds were originally authorized in the principal amount of \$800,000.00, \$500,000 of such authorized series was delivered to the lawful purchasers thereof on April 1, 1959, and pursuant to Ordinance No. 63-6, an additional \$100,000 of said authorized 1959 Bonds were delivered to the lawful purchaser thereof on February 10, 1964; and

WHEREAS, Section 14 of said Ordinance No. 1959-1 provides as follows:

Section 14. That nothing in this ordinance contained shall be construed in such a manner as to prevent the issuance by the City of additional bonds or other obligations payable from the income derived from the operation of the system and constituting a lien upon said revenues inferior and junior to the lien of the bonds herein authorized, nor to prevent the issuance of bonds or other obligations refunding all or a part of the bonds herein authorized; provided, however, that the City is not, and has not been, in default as to any payments required to be made in Section 12 of this ordinance for a period of not less than twenty-four months immediately preceding the issuance of such additional bonds or other obligations; and provided, further, that before any such additional bonds or other obligations are authorized or actually issued, other than refunding bonds or other refunding obligations, the earnings derived from the operation of said system for the fiscal year immediately preceding the date of the issuance of such additional obligations shall have been sufficient to pay the cost of operation and maintenance for such fiscal year, and, in addition, sufficient to pay an amount representing one hundred fifty per centum (150%) of the maximum combined principal and interest requirements, for a single year, on the outstanding bonds authorized by this ordinance and the bonds or other obligations proposed to be issued.

"A written certification by a licensed engineer, or at the City's option, a certified public accountant, to be employed by the City, that said earnings are sufficient to pay said amounts, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver said additional bonds or other obligations.

"Nothing herein contained shall be construed so as to permit the City to issue bonds or other obligations payable from the revenues of the system and having a lien thereon either on a parity with, or prior and superior to, the bonds authorized by this ordinance.

"Any additional junior lien bonds or other obligations issued in compliance with the terms hereof shall bear interest semiannually on the first days of April and October in each year, except that the first coupon on any bond may represent interest accruing for any period not in excess of one year, and such obligations shall mature on the first day of April in the years designated by the City Council during the term of said bonds or other obligation

; and

WHEREAS, the 1959 Bonds delivered on April 1, 1959 and the 1959 Bonds delivered on February 10, 1964 in legal effect constitute securities of one issue which are payable from the same accounts and are subject to the same limitations; and

WHEREAS, the question of issuing the 1975 Bonds was approved by the legal voters of the City of Blanding on January 28, 1979, and all of the authorized 1975 Bonds (being in the principal amount of \$150,000) were delivered to the lawful purchaser thereof on May 19, 1975; and

WHEREAS, Section 20 of said Ordinance No. 1975-1 provides as follows:

"Section 20. Additional Bonds or Other Obligations.

A. Limitations Upon Issuance of Parity Obligations.

Nothing in this ordinance contained shall be construed in such a manner as to prevent the issuance by the Council of additional bonds or other obligations, for the purpose of improving, enlarging or extending the joint system, payable from any income derived from the operation of the joint system and constituting a lien upon such revenues on a parity with, but not prior or superior to, the lien of the 1975 Bonds, nor to prevent the issuance of obligations refunding all or a part of the 1975 Bonds; but before any such additional parity obligations are authorized or actually issued, other than refunding obligations (unless any lien on any revenues of the joint system of the bonds refunded is subordinate to the lien of the 1975 Bonds and the lien on revenues of the joint system of the refunding obligations is on a parity with the lien thereon of the 1975 Bonds), firstly, the City shall not have been in default as to any payments required to be made in Section 16 of this ordinance for the 24 months immediately preceding the issuance of such additional obligations, or if the 1975 Bonds have not been issued and outstanding for a period of at least 24 months, for the longest period any of the 1975 Bonds have been issued and outstanding, and secondly, the gross revenues derived from the operation of the system for the fiscal year immediately preceding the date of the authorization and issuance shall have been an amount which would be sufficient to pay the operation and maintenance expenses of the system for such year and sufficient to pay an amount representing 140% of the combined maximum annual principal and interest requirements of the outstanding 1975 Bonds and any other obligations of the City payable from all or any part of the revenues of the joint system (and on a parity with the lien of the 1975 Bonds), and the obligations proposed to be issued, excluding the reserves therefor.

B. Certification of Earnings. A written opinion or certification by a licensed engineer, or at the City's option, a certified public accountant, to be employed by the City, that the conditions hereinabove imposed for the issuance of parity obligations have been met, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver such obligations on a parity with the 1975 Bonds.

C. Junior Obligations Permitted. Nothing herein contained, except as herein otherwise specifically stated shall be construed so as to prevent the City from issuing obligations payable from the revenues of the joint system and having a lien thereon subordinate, inferior and junior to the lien of the 1975 Bonds (subject to the limitations of Ordinance No. 1959-1).

D. Superior Obligations Prohibited. Nothing herein contained shall be construed so as to permit the City to issue obligations payable from the revenues of the joint system, and having a lien thereon prior and superior to the 1975 Bonds."

; and

WHEREAS, pursuant to the provisions of SS 11-14-1 through 11-14-27, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto (herein

the Utah Municipal Bond Act), the Council is authorized to provide for such improvements and extensions to the system, and, by resolution passed by the Council, to defray all or a part of the cost thereof by the issuance of revenue bonds of the City payable solely from the net revenues of such joint system, and providing a sinking fund and reserve to discharge the same; and

WHEREAS, after extensive discussion and inquiry, the Council has determined, and does hereby declare, that the proposal submitted by the State of Utah acting by and through the Board of Water Resources (herein "Purchaser"), for the purchase for cash of the additional revenue bonds herein authorized, at an interest rate of 0% in accordance with the letter from the Purchaser dated June 11, 1979 for the principal amount of the bonds, was and is the best proposal submitted for the bonds, and that the proposal be and hereby is accepted; and

WHEREAS, the 1980 Bonds may be evidenced by a single registered joint electric, water and sewer improvement revenue bond (the water revenue bonds authorized hereby, whether evidenced by serial bonds in the denomination of \$5,000 each or by a single registered bond in the denomination of \$200,000 are herein the "1980 Bonds" or "bonds"); and

WHEREAS, the City has never pledged or in any way hypothecated the system or any part thereof or (except for the 1959 Bonds and 1975 Bonds) revenues derived and to be derived from the operation of the system, or any part thereof, to the payment of any bonds now outstanding or for any other purpose (excluding proceedings authorizing the issuance of bonds which have heretofore been redeemed in full, both principal and interest), with the result that the revenues to be derived from the joint system may now be pledged lawfully and irrevocably to the payment of the 1980 Bonds; and

WHEREAS, such payment for the 1980 Bonds shall be made solely from the net revenues of the system, and the lien of the 1980 Bonds on such revenues is to be subordinate to the existing lien thereon of the outstanding 1959 Bonds, and is to be on a parity with the existing lien thereon of the outstanding 1975 Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLANDING, SAN JUAN COUNTY, UTAH:

Section 1. Short Title. This resolution may be cited as the "4-1-80 Revenue Bond Resolution."

Section 2. Election Approval. Said election held on November 27, 1979, resulted in the approval of the issuance of said bonds, and the result of said election has been previously so declared.

Section 3. Ratification. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Council and the officers of the City of Blanding directed toward the continuing operation of the joint system and the improvement, enlargement and extension of the joint system (such improvement, enlargement and extension being herein sometimes designated the "Project"), and the issuance of its proposed improvement revenue bonds be, and the same hereby is, ratified, approved and confirmed, including, without limiting the generality of the foregoing, the sale of the Single Registered Bond No. R-1 in the principal amount of \$200,000 to the Purchaser for the principal amount thereof and no discount nor premium.

Section 4. Authorization of Bonds. In order to provide funds to defray the cost of the Project and thereby adequately to supply service to the inhabitants of the City, there shall be, and there hereby are, authorized to be issued bonds of the City to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980," in the aggregate principal amount of \$200,000, which bonds shall be payable solely from the net revenues to be derived from the operation of the system and not otherwise. Such net revenues shall be deemed the gross revenues of the system after deduction only for the cost of operating and maintaining the system and keeping it in good repair and working condition.

Section 5. Bond Details. The bonds shall be issued payable to bearer, dated as of April 1, 1980, consisting of 40 bonds in the denomination of \$5,000 each, numbers consecutively in regular numerical order from 1 through 40, bearing no interest, the bonds being numbered and maturing serially in regular numerical order on the first day of April in each of the designated amounts and years, as follows:

<u>Bond Numbers</u> <u>(All Inclusive)</u>	<u>Principal</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1981
2	5,000	1982
3	5,000	1983
4	5,000	1984
5	5,000	1985
6	5,000	1986
7 - 10	20,000	1987
11 - 16	30,000	1988
17 - 22	30,000	1989
23 - 28	30,000	1990
29 - 34	30,000	1991
35 - 40	30,000	1992

The principal of the bonds (such principal of the bonds being herein sometimes designated as the "Bond Requirements") shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges at the Zions First National Bank, Salt Lake City, Utah (herein "Paying Agent"). Any registered single bond issued as hereafter provided shall mature in installments in the amounts and on the dates set forth above, and the principal installments thereof shall be paid by check mailed to the registered owner thereof as shown on the registration books of the City, provided, however, that the final installment of principal shall be paid only upon presentation and surrender of such single bond at the Paying Agent when it becomes due.

Section 6. Prior Redemption. All of the bonds shall be subject to redemption prior to their respective maturities, at the option of the City, in whole or in part, in inverse numerical order, on April 1, 1981, or on any principal payment date thereafter, at a price equal to the principal amount of each bond so redeemed. Notice of redemption shall be given by the City Treasurer, in the name of the City, by publication of such notice at least once, not less than thirty days prior to the redemption date, in a newspaper of general circulation in the City, and a copy of such notice shall be sent by registered mail, at least thirty days prior to the redemption date (a) to the Purchaser, and (b) to the Paying Agent. Such notice shall specify the number or number of bonds to be so redeemed (if less than all are to be redeemed) and the date fixed for redemption, and shall further state that on such redemption date there will become and be due and payable upon each bond so to be redeemed at the Paying Agent the principal amount thereof. Notice having been given in the manner hereinbefore provided, the bond or bonds so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, the City will pay the bond or bonds so called for redemption. In the case of any registered single bond, installments of principal shall be subject to prepayment as if evidenced by the above designated bonds in the denomination of \$5,000 each.

Section 7. Negotiability. Each bond shall be negotiable and payable to bearer or, if registered, to the registered owner. Subject to the provisions for registration, the bonds hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the holder or holders thereof shall possess all right enjoyed by the holders of negotiable instruments under the provisions of the Utah Municipal Bond Act and the Uniform Commercial Code - Investment Securities.

Section 8. Bond Registration. Any bond may be registered for payment. The City Recorder is hereby appointed registrar (herein "Registrar") and shall maintain books for the registration, transfer and conversion of bonds. The Registrar shall register or permit to be transferred or discharged from registration any bond presented for such purpose subject to such reasonable regulations as the Registrar may prescribe and after the City is reimbursed for any tax or governmental charge payable in connection therewith.

Section 9. Registration as to Principal. Any bond may be registered as to principal upon presentation to the Registrar. The Registrar shall note such registration on the books and on the registration panel on the back of the bond. Any registered bond may be transferred only upon a duly executed assignment by the registered owner or his legal representative in form satisfactory to the Registrar. Such transfer shall be noted on said books and on the bond. The principal of any registered bond shall be payable only to, or upon the order of, the registered owner or his legal representative. Any registered bond may be reconverted into a bearer bond payable to bearer upon presentation to the Registrar accompanied by an authorization in form satisfactory to the Registrar. The Registrar shall note on the bond that it is payable to bearer.

Section 10. Ownership Bonds. The City and the Registrar may treat the bearer of any unregistered bond or bond registered to bearer as the absolute owner thereof, whether or not such bond shall be overdue. The City and its officers may treat the person in whose name any bond is registered as the absolute owner, whether or not such bond shall be overdue. All payments made as provided in this resolution shall be valid and effectual to discharge the liability upon any bonds to the extent of the amount so paid.

Section 11. Form and Execution of Bonds. The bonds shall be manually signed and executed by the Mayor of the City, the corporate seal of the City shall be affixed on each bond, and the bonds shall be manually subscribed, executed, countersigned by the City Treasurer of the City and manually signed and attested by the City Recorder. Pursuant to Section 11-14-15 Utah Code Annotated 1953, the bonds bearing the signatures (manual or facsimile) of the officers in office at the time of signing thereof shall be the valid and binding obligations of the City, notwithstanding that before the delivery thereof and the payment therefor any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices.

Section 12. Special Obligations. All of the bonds, as to all Bond requirements, shall be payable and collectible solely out of the net revenues of the system. The holder or holders of the bonds may not look to any general or other fund for the payment of the Bond Requirements of such obligations, except the designated funds pledged therefor; and the bonds shall not constitute an indebtedness nor a debt within the meaning of any constitutional provision or statutory limitation.

Section 13. Recital on Bonds. Pursuant to Section 11-14-2 of the Utah Municipal Bond Act, the bonds shall recite that they are issued under the authority of the Utah Municipal Act.

Section 14. Form of Bonds. The bonds, including the indebtedness certificate to be endorsed thereon and the registration panel thereon, shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF UTAH

COUNTY OF SAN JUAN

CITY OF BLANDING

JOINT ELECTRIC, WATER AND SEWER IMPROVEMENT REVENUE BOND

SERIES APRIL 1, 1980

NO. _____

\$5,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the bearer hereof, solely from the special funds provided therefor, as hereinafter set forth, on the first day of April, 19____, the principal sum of

FIVE THOUSAND DOLLARS

The principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) is payable in lawful money of the United States of America, without deduction for exchange of collection charges, at the Zions First National Bank, Salt Lake City, Utah, upon presentation and surrender of this bond when it becomes due.

All bonds of the series of which this bond is a part (herein the "1980 Bonds" or merely the "bonds") are subject to prior redemption in inverse numerical order, at the option of the City, on the first day of April, 1981, or on any April 1 thereafter, at a price equal to the principal amount thereof. Redemption shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely

out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system" or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of the 1980 Bonds shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980 (the "Resolution"), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of the bonds of the series of which this is one, and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of the 1980 Bonds, reference is made to the Resolution. The 1980 Bonds are equitably and ratably secured by a lien on the net revenues of the system and such bonds constitute, subject only and subordinate to the prior lien of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to the series of which this is one, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of the 1980 Bonds, in accordance with the provisions of the Resolution.

The 1980 Bonds are issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among others, with respect to the custody and application of the proceeds of the 1980 Bonds, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of the bonds, the nature and extent of the security, the terms and conditions on which the bonds are to be issued, the rights, duties and obligations of the City, and the rights of any holder of the bonds.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is one of a duly authorized series of 40 bonds in the aggregate principal amount of \$200,000 for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

The 1980 Bonds are issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of the 1980 Bonds, and its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on the 1980 Bonds and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond may be registered in the name of the holder subject to the terms and conditions set forth in the Resolution, and, unless so registered, this bond shall be transferable by delivery. This bond may be registered only as to principal. If this bond is registered it may be reconverted into a bond payable to bearer as provided in the Resolution.

Subject to the provisions for registration, this bond is subject to the conditions, and every holder hereof by accepting the same agrees with the obligor and every subsequent holder hereof, that (a) the delivery of this bond to any transferee shall vest title in this bond in such transferee to the same extent for all purposes as would the delivery under like circumstances of any negotiable instrument payable to bearer; (b) the obligor and any agent of the obligor may treat the bearer of this bond as the absolute owner hereof for all purposes, and shall not be affected by any notice to the contrary; (c) the principal of this bond shall be paid, and this bond is transferable, free from and without regard to any equities between the obligor and the original or any intermediate holder hereof, or any setoffs or crossclaims; and (d) the surrender to the obligor or any agent of the obligor of this bond shall be a good discharge to the obligor for the same.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed, and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; and has caused the corporate seal to be hereto affixed, all as of the first day of April, 1980.

S/_____
Mayor, City of Blanding
County of San Juan, State of Utah

CS/_____
City Treasurer, City of Blanding
County of San Juan, State of Utah

(SEAL)
ATTEST:

S/_____
City Recorder, City of Blanding
County of San Juan, State of Utah

(End of Form of Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to Law.

DATED as of this first day of April, 1980.

S/_____
City Recorder and Ex Officio City
Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Bond)

PROVISION FOR REGISTRATION AND RECONVERSION

This bond may be registered only as to both principal and interest on the books of the City, kept by the City Recorder as Registrar. Upon presentation hereof, the Registrar shall note such registration on such books and in the registration blank below. After registration this bond may be transferred by the registered owner or his legal representative only upon a duly executed assignment in form satisfactory to the Registrar, such transfer to be made on said books and endorsed hereon. The principal of and interest on this bond, if registered, shall

be payable only to, or upon the order of, the registered owner or his legal representative.

This bond, if registered, may be converted into a bearer bond, upon presentation to the Registrar, accompanied by an instrument duly executed by the registered owner, or his legal representative, in form satisfactory to the Registrar. In such case, the Registrar shall note below that this bond is payable to bearer. Such bearer bond may again be registered as provided above.

Every privilege of registration, transfer, discharge from registration, or conversion shall be exercised only in accordance with the authorizing resolution and such reasonable rules and regulations as the Registrar may prescribe.

The registration books shall be closed for 15 days prior to any principal payment date.

Date of <u>Registration</u>	Name of <u>Registered Owner</u>	Signature of <u>Registrar</u>

(End of Form of Registration Panel on Back of Bond)

Section 15. Use of Single Bond. Notwithstanding the foregoing provisions hereof, the money borrowed from the Purchaser is to be evidenced by a non-negotiable single bond in the principal amount and denomination of \$200,000 which single bond shall be executed in the name of and on the behalf of the City and signed by the Mayor, countersigned by the Treasurer, and attested by the Recorder, with the seal of the City affixed thereto. The single bond shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges, by check mailed to the registered owner thereof, except the final installment of principal shall be paid only upon presentation and surrender of such single bond when it becomes due at the Paying Agent. The single bond shall mature in installments of principal, substantially as provided in Sections 5 and 6 hereof. The single bond may be registered by any Holder, and may be assigned in the manner and with the effect set forth in the provisions for registration contained in the form of single bond hereinafter set forth, and as herein further provided. Upon request of the Holder of the single Bond, the City shall issue, at the Holder's expense and within 90 days from the date of such request, negotiable, bearer bonds, or serial registered bonds, in the denomination of \$5,000 each, to the extent practicable, as requested by the Holder, in an aggregate principal amount equal to the amount of the unpaid principal of the outstanding single Bond, of like tenor and date, and in the form prescribed by, and subject to, the provisions of this resolution.

Section 16. Form of Single Bond. The single Bond, including the indebtedness certificate to be endorsed thereon, the registration panel thereon and the form assignment therefor, shall be in substantially the following form:

(Form of Single Bond)

UNITED STATES OF AMERICA

STATE OF UTAH

COUNTY OF SAN JUAN

CITY OF BLANDING

SINGLE REGISTERED JOINT ELECTRIC, WATER AND SEWER
IMPROVEMENT REVENUE BOND
SERIES APRIL 1, 1980

No. R-1

\$200,000.00

The City of Blanding in the County of San Juan, State of Utah (herein "City"), for value received, hereby promises to pay to the registered owner hereof, solely from the special funds provided therefor, as hereinafter set forth, the principal sum above stated on April 1 in the years and installments as follows:

<u>Years</u> <u>Maturing</u>	<u>Amounts</u> <u>Maturing</u>
1981	\$ 5,000
1982	5,000
1983	5,000
1984	5,000
1985	5,000
1986	5,000
1987	20,000
1988	30,000
1989	30,000
1990	30,000
1991	30,000
1992	30,000

Installments of principal of this bond (such principal being herein sometimes designated as the "Bond Requirements" as such bond does not bear interest) are payable in lawful money of the United States of America, without deduction for exchange of collection charges, by check mailed to the registered owner hereof as shown on the books of the City; however, the final payment of this bond is payable only upon presentation and surrender of this bond when it becomes due at the Zions First National Bank, Salt Lake City, Utah

All installments of principal on this bond are subject to payment prior to their stated due date in inverse order of maturity, at the option of the City, on the first day of April, 1981, or on any April 1 thereafter, in multiples of \$5,000. Such prepayments shall be made upon not less than thirty days' prior notice to be given in the manner and upon the conditions provided in the resolution authorizing the issuance of this bond.

This bond does not constitute a debt nor an indebtedness of the City within the meaning of any Constitutional or statutory limitation, shall not be considered or held to be a general obligation of the City, and is payable and collectible solely out of and there is pledged the net income derived from the operation of the City's municipally owned joint electric, water and sewer system (herein "joint system" or "system"); and the holder hereof may not look to any general or other fund for the payment of the Bond Requirements of this obligation, except the special funds pledged therefor. Payment of the Bond Requirements of this Bond shall be made solely from, and as security for such payment there are pledged, pursuant to Resolution No. 1980-6, passed and approved on the 14th day of May, 1980 (the "Resolution"), two special funds identified as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund," and as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund," into which funds the City covenants to pay respectively, from the net revenues of the system ("net revenues" being defined as the gross revenues of the system after there shall have first been paid therefrom only the necessary and reasonable expenses of the operation and maintenance of the joint system), sums sufficient to pay when due the principal of this bond and to maintain a reasonable and specified reserve for such purpose. For a description of such funds and the nature and extent of the security afforded thereby for the payment of the Bond Requirements of this bond, reference is made to the Resolution. This bond is secured by a lien on the net revenues of the system and constitutes, subject only and subordinate to the prior lien of the City of Blanding, Joint Electric, Water and Sewer Refunding and Improvement Revenue Bonds, Series April 1, 1959, an irrevocable and first lien (but not necessarily an exclusively first lien) upon such net revenues, on a parity with the lien thereon of the City of Blanding, Joint Electric Water and Sewer Revenue Bonds, Series April 1, 1975. Bonds in addition to this bond, subject to expressed conditions, may be issued and made payable from the net revenues of the joint system and having a lien thereon subordinate and junior to the lien, or subject to additional expressed conditions, having a lien thereon on a parity with the lien of this bond, in accordance with the provisions of the Resolution.

This bond is issued pursuant to the Resolution. Reference is hereby made to the Resolution for the provisions, among other, with respect to the custody and application of the proceeds of this bond, the collection and disposition of revenues of the joint system, the funds charged with and pledged to the payment of Bond Requirements of this bond, the nature and extent of the security, the terms and

conditions on which this bond is to be issued, the rights, duties and obligations of the City, and the rights of any holder of this bond.

It is hereby certified, recited and declared that the issuance of this bond has been authorized by the electors of the City qualified to vote on the question at a special bond election held thereon on the 27th day of November, 1979.

This bond is duly authorized bond for the purpose of defraying the cost of constructing improvements, enlargements and extensions to the joint system, the joint system to be owned and controlled by the City, all in full conformity with the Constitution and laws of the State of Utah, and ordinances and resolutions of the City duly enacted, adopted and published prior to issuance hereof.

This bond is issued under the authority of the Utah Municipal Bond Act, Sections 11-14-1 to 11-14-27, both inclusive, Utah Code Annotated 1953, and all laws amendatory thereof and supplemental thereto.

The City covenants and agrees with the holder of this bond and with each and every person who may become the holder hereof that it will keep and perform all of the covenants of such Resolution, including, without limiting the generality of the foregoing, its covenant against the sale or mortgage of the joint system or any part thereof unless provision shall be made for the payment of the Bond Requirements of this bond, and its covenants that it will fix, maintain and collect rates for services rendered by the system sufficient to produce revenues or earnings sufficient to pay an amount at least equal to the sum of the annual operation and maintenance expenses of the system and one hundred twenty five per centum (125%) of both the principal of and interest on this bond and any other obligations payable annually from the revenues of the system (excluding the reserves therefor).

This bond is transferable only upon books kept by the Recorder of the City as bond registrar by the registered owner hereof in person or by his duly authorized attorney, and similarly noted hereon, or it may be surrendered in exchange for new bonds of the same aggregate principal amount, in bearer form or in serial registered form, in the denomination of \$5,000 each, to the extent practicable and consistent with the maturity schedule provided in, and subject to, the conditions set forth in the Resolution.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this bond.

IN WITNESS WHEREOF, the City of Blanding, San Juan County, State of Utah, has caused this bond to be manually signed and executed by its Mayor and to be manually subscribed, executed, and countersigned by its City Treasurer and to be manually subscribed, executed and attested by the City Recorder; has caused the corporate seal to be hereto affixed, all as of the first day of April, 1980.

S/_____
Mayor, City of Blanding
County of San Juan, State of Utah

Countersigned:

S/_____
City Treasurer, City of Blanding
County of San Juan, State of Utah

(SEAL)

ATTEST:

S/_____
City Recorder, City of Blanding
County of San Juan, State of Utah

(End of Form of Single Bond)

(Form of Certificate on Bond)

AUDITOR'S CERTIFICATE

I hereby certify that this bond does not constitute an indebtedness of the City of Blanding, in the County of San Juan and State of Utah, within any state constitutional or statutory limitation, and is issued according to law.

DATED as of this first day of April, 1980.

S/_____
City Recorder and Ex Officio
City Auditor

(End of Form of Certificate on Bond)

(Form of Registration Panel on Back of Single Bond)

MANDATORY REGISTRATION FOR PAYMENT AS TO PRINCIPAL

The within single bond is registered in the office of the Recorder of the City of Blanding, San Juan County, Utah, as Registrar, in the name of the last owner listed below; and the principal amount of the bond shall be payable only to such owner, all in accordance with the resolution of the City authorizing the bond's issuance.

Date of Registration	Name of Owner	Address of Owner	Signature of Registrar
	State of Utah Board of Water Resources	231 East 400 South Salt Lake City, Utah 84111	

(End of Form of Registration Panel)

(Form of Assignment Panel on Back of Single Bond)

ASSIGNMENT PROVISION

For value received, _____ hereby assign and transfer unto _____ the within bond, together with accrued interest thereon, hereby irrevocably constituting and appointed _____ attorney to transfer this bond on the books of the City of Blanding at the office of the Recorder of the City with full power of substitution in the premises.

Dated: _____.

(End of Form of Assignment Panel)

Section 17. Period of Project's Usefulness. It is hereby determined and recited that the period of usefulness of the facilities to be acquired with the proceeds of the bonds herein authorized is not less than 12 years from the date of the bonds.

Section 18. Bond Execution and Delivery. The Mayor, Recorder and Treasurer of the City are hereby authorized and directed to prepare and execute the bonds as herein provided. When the bonds have been duly executed, the City Treasurer shall deliver them to the Purchaser on receipt of the agreed purchase price.

Section 19. Disposition of Bond Proceeds.

A. Acquisition Fund. The proceeds derived from the sale of the bonds promptly upon the receipt thereof shall be credited to a separate account which shall be known as the "Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Acquisition Fund" (herein the "Acquisition Fund"), which may be deposited in a bank account supervised jointly by the City and the Division of Water Resources of the State of Utah. The moneys in the Acquisition Fund, except as herein otherwise specifically provided, shall be used solely for the Project.

B. Completion of Project. When the Project shall have been completed in accordance with the plans and specifications therefor, and when all amounts due therefor, including all proper incidental expenses, shall have been paid the treasurer shall transfer to the 1980 Bond Fund, hereinafter created, all moneys remaining in the Acquisition Fund, if any.

C. Purchaser Not Responsible. But the Purchaser of the bonds shall in no manner be responsible for the application or disposal by the City or by its officers of the funds derived from the sale of the bonds or of any other funds herein designated.

Section 20. Income Fund. So long as any of the 1980 Bonds shall be outstanding as to any Bond requirements, all income and revenues derived from the operation of the joint system shall continue to be credited to a special account heretofore created by Ordinance No. 1959-1 and designated "City of Blanding Gross Income Joint Electric, Water and Sewer System Fund" (herein the "Income Fund").

Section 21. Administration of Income Fund. So long as any of the 1980 Bonds shall be outstanding as to any Bond Requirements, the following payments shall be made from the Income Fund:

A. Operation and Maintenance Expenses. Firstly, as a first charge thereon, there shall be set aside each month as an operation and maintenance fund such reasonable percentage of the Income Fund as the City Council shall determine to be necessary and reasonable to defray operation and maintenance expenses of the joint system. Any surplus remaining at the end of the fiscal year and not needed for operation and maintenance purposes, shall be transferred to the Income Fund and be used for the purposes thereof, as herein provided. The term "operation and maintenance expenses," as used in this resolution, means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the joint system.

B. Principal, Interest and Reserve Requirements for 1959 Bonds. Secondly, after provision is made for operation and maintenance as aforesaid, for as long as the 1959 Bonds are outstanding there shall be set aside and paid monthly the amounts required by paragraphs B and C of Section 12 of Ordinance No. 1959-1, such payments to be from net revenues (i.e., the moneys remaining in the Income Fund after payment only of operation and maintenance expenses).

C. Bond Requirements for 1980 Bonds. Thirdly, after provision is made for the aforesaid payments, and concurrently with the payments required by paragraphs C and D of Section 16 of Ordinance No. 1975-1, and by paragraph D of this Section, from such net revenues (i.e., of the moneys remaining in the Income Fund after payment only of operation and maintenance expenses and provision for the 1959 Bonds), there shall be credited to a separate account hereby created and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Bond Retirement Fund" (herein "1980 Bond Fund"), monthly, commencing on the first day of the month immediately succeeding the first or only date on which any of the 1980 bonds are delivered, an amount in equal monthly installments necessary, together with any moneys therein and available therefor, to pay the next maturing installment of principal on the outstanding 1980 bonds, and monthly thereafter, commencing on said payment date, one-twelfth of the amount necessary to pay the next maturing installment of principal on the 1980 bonds.

D. 1980 Reserve Fund Payments. Fourthly, into a separate account hereby created, to be kept separate from all other accounts and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980, Reserve Fund" (herein sometimes referred to as the 1980 Reserve Fund" or "Reserve Fund"), and after the payments required by paragraphs B and C of Ordinance No. 1959-1 but concurrently with the payments required by paragraphs C and D of Section 16 of Ordinance No. 1975-1 and by paragraph C of this Section, from any moneys remaining in the Income Fund there shall be set aside and paid monthly at least \$303.00 per month commencing not later than the first day of the month succeeding delivery of any of the bonds, and the first day of each month thereafter, until a reserve has been accumulated in an amount equal to not less than \$18,180 (herein "1980 Minimum Reserve"). After the 1980 Minimum Reserve has been accumulated, such amounts or amount, if any, shall be deposited monthly from any moneys remaining in the Income Fund into the Reserve Fund necessary to maintain the 1980 Reserve Fund as a continuing reserve in an amount not less than the 1980 Minimum Reserve to meet possible deficiencies in the 1980 Bond Fund. No payment need be made into the 1980 Reserve Fund so long as the moneys therein shall equal not less than the 1980 Minimum Reserve. The moneys in the 1980 Reserve Fund shall be accumulated and maintained as a continuing reserve to be used, except as hereinafter provided in paragraphs E and F of this Section 21, only to prevent deficiencies in the payment of the Bond Requirements on the 1980 Bonds hereby authorized resulting

from the failure to deposit into the 1980 Bond Fund sufficient funds to pay such Bond Requirements as the same accrue.

E. Termination Upon Deposits to Maturity. No payment need be made into the 1980 Bond Fund, the 1980 Reserve Fund, or both, if the amounts in the designated two funds total a sum at least equal to the entire amount of the outstanding 1980 Bonds, as to all Bond Requirements to their respective maturities or due dates, and both accrued and not accrued, in which case, moneys in such two funds in an amount at least equal to such Bond Requirements shall be used solely to pay such as the same accrue, and any moneys in excess thereof in such funds and any other moneys derived from the operation of the system may be used in lawful manner determined by the Council.

F. Defraying Delinquencies in 1980 Bond and Reserve Funds. If, in any month, the City shall, for any reason fail to pay into the 1980 Bond Fund the full amount above stipulated from the net revenues of the joint system, then an amount shall be paid into the 1980 Bond Fund in such month from the 1980 Reserve Fund equal to the difference between that paid from such portion of the net income and the full amount so stipulated. The money so used shall be replaced in the 1980 Reserve Fund from the first revenues thereafter received from the operation of the joint system, not required to be otherwise applied. If, in any month, the City shall, for any reason, fail to pay into the 1980 Reserve Fund the full amount above stipulated from the net income, the difference between the amount paid and the amount so stipulated shall in a like manner be paid therein from the first revenues thereafter received from the operation of the system not required to be otherwise applied. The money in the 1980 Bond Fund and the 1980 Reserve Fund shall be used solely and only for the purpose of paying the Bond Requirements of the 1980 bonds; but any moneys at any time in excess of the Minimum Reserve in the 1980 Reserve Fund may be withdrawn therefrom and used in the same manner as net income of the joint system as herein provided; and any moneys in the 1980 Bond Fund and the 1980 Reserve Fund in excess of accrued and unaccrued Bond Requirements to the respective maturities or due dates of the outstanding bonds may be used as hereinabove provided in paragraph E of this Section 21.

G. Payment of Additional Obligations. Fifthly, any balance remaining in the Income Fund, after provision is made for the aforesaid payments, may be used by the City for the payment of interest on and the principal of additional bonds or other obligations hereafter authorized to be issued and payable from the revenues of the joint system, including reasonable reserves therefor, as the same accrue; but the lien of such additional bonds or other obligations on the net income and revenues of the joint system and the pledge thereof for the payment of such additional obligations shall be on a parity with, or subordinate to, the lien and pledge of the 1980 Bonds, as hereinafter provided. Any payments into a bond fund or reserve fund for any additional parity obligations may be made concurrently with the payments required by paragraphs C and D of this Section.

H. Repair and Replacement Fund. Sixthly, after making the payments hereinabove required to be made by paragraphs A to G, inclusive, of this Section, there shall be deposited annually, commencing on the first day of April, 1981 and on April 1 in each of the years 1982 to 1985, into a separate account hereby created and to be known as the "City of Blanding, Utah, Joint Electric, Water and Sewer Improvement Revenue Bonds, Series April 1, 1980 Repair and Replacement Fund" (herein the "Repair and Replacement Fund") not less than \$1,000 per year until not less than \$5,000 has been accumulated therein (herein the "Minimum Repair and Replacement Accumulation"). After the Minimum Repair and Replacement Accumulation has been accumulated, such amounts or amount, if any, shall be deposited annually from any moneys remaining in the Income Fund into the Repair and Replacement Fund as a continuing reserve in an amount not less than the Minimum Repair and Replacement Accumulation. No payment need be made into the Repair and Replacement Fund so long as the moneys therein shall equal not less than the Minimum Repair and Replacement Accumulation. The moneys in the Repair and Replacement Fund shall be used solely to pay the costs of repairs to and replacements for the joint system; provided, however, that if necessary to prevent a default in the payment the principal of or interest on any bonds or other obligations payable from the net revenues of the joint system, including the 1980 Bonds, moneys in the Repair and Replacement Fund may be used for the purpose of paying such principal or interest. Amounts in excess of the Minimum Repair and Replacement

Accumulation may be withdrawn and used for any lawful purpose.

I. Use of Surplus Revenues. After making the payments hereinabove required to be made by paragraphs A to E, inclusive, of this Section, any remaining income and revenues derived from the operation of the joint system in the Income Fund shall be used for any one or any combination of purposes, As follows:

- (1) For the prior redemption of the bonds or any other outstanding bonds or other obligations incurred and payable from the revenues of the joint system, in accordance with the provisions of the bonds or other obligations and the ordinance or resolution authorizing their issuance, including but not necessarily limited to this resolution;
- (2) For the improvement and extension of the joint system; and
- (3) As the City Council at its option may from time to time determine and direct.

Section 22. General Administration of Funds. The funds and accounts hereinabove designated shall be administered as follows:

A. Places and Times of Deposits. Each of the special accounts expressly designated in this resolution shall be maintained and kept as a book account separate from all other accounts as a trust account solely for the purposes herein designated therefor, which special book accounts shall be in one bank account or more, in a bank or banks which are members of the Federal Deposit Insurance Corporation and of the Federal Reserve System, and are qualified depositories for public funds under the laws of the State (herein "Insured Bank") as determined and designated by the Council. Each such trust account shall be continuously secured to the fullest extent required or permitted by the laws of the State for the securing of public funds and shall be irrevocable and not withdrawable by anyone for any purpose other than the respective designated purposes. Each periodic payment shall be credited to the proper account not later than the date therefor herein designated, but when any such date shall be a Saturday, a Sunday or a legal holiday, then such payment shall be made on or before the next preceding secular day. Notwithstanding any other provision herein to the contrary, moneys shall be deposited with the Paying Agent at least five (5) days prior to each principal payment date herein designated sufficient to pay the Bond Requirements then becoming due on the outstanding bonds.

B. Investment of Moneys. Any moneys in any account expressly designated in this resolution, and not needed for immediate use, may be invested or re-invested by the City Treasurer by deposit in one or more Insured Banks, and in Federal Securities which either (1) shall be subject to redemption at any time at a fixed value by the holder thereof at the option of such holder, or (2) shall mature not later than 5 days prior to the date or respective dates on which the proceeds are to be expended as estimated upon each date of such investment or reinvestment, but Federal Securities in the Reserve Fund shall so be subject to redemption at the holder's option at face value or shall mature at least five days prior to the last maturity date of the outstanding bonds. For the purpose of any such investment or reinvestment, Federal Securities shall be deemed to mature at the earliest date on which the obligor is, on demand, obligated to pay a fixed sum in discharge of the whole of such obligations. Federal Securities so purchased as an investment or reinvestment of moneys in any such account shall be deemed at all times to be a part of the account, and any interest accruing thereon and any other gain realized therefrom, as well as any interest and other gain from the deposit of moneys in an Insured Bank shall be credited to the account, and any loss resulting from such investment or reinvestment in Federal Securities or in a bank shall be charged to the account. The Treasurer shall present for redemption or sale on the prevailing market at the best price obtainable any Federal Securities and certificates of deposit so purchased as an investment or reinvestment of moneys in the account whenever it shall be necessary so to do in order to provide moneys to meet any withdrawal, payment or transfer from such account; provided, that amounts in the 1980 Reserve Fund shall be maintained, invested and such allowable investments presented for redemption or sale in securities which are allowable by this Section and to redeem or sell such securities in order to meet any deficiency in the 1980 Bond Fund.

C. Character of Funds. The moneys in any account herein authorized shall consist either of lawful money of the United States of America or Federal Securities, or both such money and such securities, except as herein otherwise expressly provided. Moneys deposited in a demand or time deposit account in or evidenced by a certificate of deposit of an Insured Bank appropriately secured according to the laws of the State shall be deemed lawful money of the United States of America. But moneys credited to the Acquisition Fund may only be invested in one or more accounts in or evidenced by one or more certificates of deposit of the Paying Agent, in Federal Securities or in municipal securities in which such moneys may be legally invested, or any combination thereof, as the Council may at any time or from time to time determine.

D. Federal Securities Defined. "Federal Securities" means bills, certificates or indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States of America.

E. Arbitrage Covenant. The City hereby covenants for the benefit of each holder of the bonds that 1980 Bond proceeds or any funds reasonably expected to be used to pay the Bond Requirements of the 1980 Bonds shall not be invested in such manner as to cause the 1980 Bonds to be "Arbitrage Bonds" under Section 103 (c) of the Internal Revenue Code of 1954 or to result in the loss of exemption from federal income taxation of interest on any bonds subsequently issued.

Section 23. Bond Lien. The 1980 Bonds, subject to the payment of operation and maintenance expenses of the joint system, and subject to the lien of the 1959 Bonds, the payment of which lien is as hereinabove recited, constitute an irrevocable and first (but not necessarily an exclusively first) lien upon the revenues derived from the operation of the joint system, said lien being subordinate to the lien thereon of the outstanding 1959 Bonds and on a parity with the lien thereon of the outstanding 1975 Bonds.

Section 24. Equality of Bonds. The 1980 Bonds from time to time outstanding shall not be entitled to any priority one over the other in the application of the revenues of the joint system, regardless of the time or times of their issuance, it being the intention of the Council that there shall be no priority among the 1980 Bonds regardless of the fact that they may be actually issued and delivered at different times.

Section 25. Additional Bonds or Other Obligations.

A. Limitations Upon Issuance of Parity Obligations. Nothing in this resolution contained shall be construed in such a manner as to prevent the issuance by the Council of additional bonds or other obligations, for the purpose of improving, enlarging or extending the joint system, payable from any income derived from the operation of the joint system and constituting a lien upon such revenues on a parity with, but not prior or superior to, the lien of the 1980 Bonds, nor to prevent the issuance of obligations refunding all or a part of the 1980 Bonds; but before any such additional parity obligations are authorized or actually issued, other than refunding obligations (unless any lien on any revenues of the joint system of the bonds refunded is subordinate to the lien of the 1980 Bonds and the lien on revenues of the joint system of the refunding obligations is on a parity with the lien thereon of the 1980 Bonds), firstly, the City shall not have been in default as to any payments required to be made in Section 21 of this resolution for the 12 months immediately preceding the issuance of such additional obligations, or if the 1980 Bonds have not been issued and outstanding for a period of at least 12 months, for the longest period any of the 1980 Bonds have been issued and outstanding, and secondly, the gross revenues derived from the operation of the system for the fiscal year immediately preceding the date of the authorization and issuance shall have been an amount which would be sufficient to pay the operation and maintenance expenses of the system for such year and sufficient to pay an amount representing 125% of the combined maximum annual principal and interest requirements of the outstanding 1980 Bonds and any other obligations of the City payable from all or any part of the revenues of the joint system (and on a parity with the lien of the 1980 Bonds), and the obligations proposed to be issued, excluding the reserves therefor.

B. Certification of Earnings. A written opinion or certification by a licensed engineer, or at the City's option, a certified public accountant, to be employed by the City, that the conditions hereinabove imposed for the issuance of parity obligations have been met, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver such obligations on a parity with the 1980 Bonds.

C. Junior Obligations Permitted. Nothing herein contained, except as herein otherwise specifically stated shall be construed so as to prevent the City from issuing obligations payable from the revenues of the joint system and having a lien thereon subordinate, inferior and junior to the lien of the 1980 Bonds (subject to the limitations of Ordinance No. 1959-1 but only for so long as the 1959 Bonds are outstanding).

D. Superior Obligations Prohibited. Nothing herein contained shall be construed so as to permit the City to issue obligations payable from the revenues of the joint system, and having a lien thereon prior and superior to the 1980 Bonds.

Section 26. Refunding Bonds. The provisions of Section 25 hereof are subject to the exception that if at any time after the obligations herein or hereafter authorized, or any part thereof, shall have been issued, the Council shall find it desirable to refund such obligations, the obligations, or any part thereof, may be refunded (but only with the consent of the holder or holders thereof, unless the obligations, at the time or times of their required surrender for payment, shall then mature, or shall then be callable for prior redemption upon proper call), without changing the priority of the lien for the payment of the refunding obligations on the revenues of the system, except as parenthetically provided in paragraph A of Section 25 hereof; and the refunding obligations so issued shall enjoy complete equality of lien with the portion of the obligations which is not refunded, if any there be; and the holder or holders of the refunding obligations shall be subrogated to all of the rights and privileges enjoyed by the holder or holders of the obligations refunded thereby. The refunding obligations shall be issued with such details as the Council may by ordinance or resolution provide; but if only a part of the outstanding obligations is refunded, and if such obligations are refunded in such manner that the refunding obligations increase the aggregate annual principal and interest requirements evidenced by such refunding obligations and by the outstanding obligations not refunded on and prior to the last maturity date of such unrefunded obligations, then such obligations may not be refunded without the consent of the holder or holders of the unrefunded portion of said obligations.

Section 27. Protective Covenants. The City hereby covenants and agrees with each and every holder of the 1980 Bonds:

A. While the 1980 Bonds authorized herein or any of them remaining outstanding and unpaid, the rates for all services rendered by the joint system to said City and to its inhabitants and to all consumers within or without the boundaries of said City shall be reasonable and just, taking into account and consideration the cost and value of the joint system, the cost of maintaining and operating the joint system, and the amounts necessary for the retirement of all bonds and other securities payable from the revenues of the system, the accruing interest thereon, if any, and reserve therefor; and there shall be charged against all purchasers of service, including said City, such rates and amounts as shall meet the requirements of this and the preceding sections of this resolution, and which shall be sufficient to produce revenues to pay the annual operating and maintenance charges, and one hundred twenty five per centum (125%) of the principal of and the interest on all bonds and any other obligations payable annually from the revenues thereof, excluding the reserves therefor; that no free service shall be furnished by said joint system; that should the City elect to use for municipal purposes the joint system, or any part thereof, any use of the joint system or of the services rendered thereby by the City, or any department thereof, will be paid for from the City's general fund or other available revenues at the reasonable current value of the use so made or service so rendered; and that all the revenues so derived from the City shall be deemed to be revenues derived from the operation of the joint system, to be used and accounted for in the same manner as any other revenues derived from the operation of said joint system.

B. The City hereby additionally covenants and agrees with each and every holder of the 1980 Bonds issued hereunder that the protective covenants in paragraphs B to M, inclusive, of Section 17 of Ordinance No. 1959-1 shall inure to the benefit of the holder or holders from time to time of the bonds herein authorized, and the provisions (paragraphs B through M) of that Section are hereby adopted by reference thereto as if set forth verbatim herein in full; provided, however:

(1) Any reference in said Section 17 of Ordinance No. 1959-1 to the bonds authorized in Ordinance No. 1959-1 shall be construed herein as referring to the 1980 Bonds herein authorized.

(2) The audits and reports required by paragraph F of Section 17 of Ordinance No. 1980-1 shall also be sent to the Purchaser hereinabove named.

(3) The references in said Section 17 of Ordinance No. 1959-1 to Section 12 of said Ordinance No. 1959-1 shall be construed as meaning Section 21 of this resolution.

(4) The covenant contained in paragraph J of Section 17 shall not require the City to take any action which, in the opinion of the City's legal counsel, may violate anti-trust laws.

Section 28. Events of Default; Remedies for and Duties Upon Defaults. The provisions of Section 18 to 20, inclusive, of Ordinance No. 1959-1, are hereby adopted by reference thereto as if set forth verbatim herein in full, and such provisions shall be in full force and effect as if they were so set forth verbatim herein in full; provided, that the reference therein to bonds shall be construed as referring to the 1980 Bonds.

Section 29. Revenues and Income Defined. As used herein, the term "revenues" or "income" from the joint system will include all income and revenue derived by the City from the operation as a joint system of the municipal electric, water and sewer system, or any part thereof, whether resulting from additions, improvements, enlargements, extensions, repairs or betterments to the joint system, or otherwise, and will include all revenues received by the City or any municipal corporation succeeding to the rights of the City from the system and from the sale of electricity, water, electrical facilities and water and sewer facilities to inhabitants of what is now the City of Blanding (including all territorial annexations which may be made while such revenue bonds or any part thereof are outstanding), or from the sale of such facilities distributed by means of the joint system owned and operated by the City as the same may at any time exist to serve customers outside the city limits as well as customers within the city limits.

Section 30. Defeasance. When all the Bond Requirements of the 1980 Bonds have been duly paid, the pledge and lien and all obligations hereunder shall thereby be discharged and the bonds shall no longer be deemed to be outstanding within the meaning of this resolution. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a commercial bank located within or without the State and exercising trust powers, an amount sufficient (including the known minimum yield available for such purpose from Federal Securities in which such amount wholly or in part may be initially invested) to meet all such Bond Requirements of the 1980 Bonds as the same become due at final maturity or on designated redemption dates. The Federal Securities will become due prior to the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and such bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure such availability as so needed to meet such schedule. "Federal Securities" within the meaning of this Section shall include only direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America which are not redeemable prior to their maturities at the option of the issuer thereof.

Section 31. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation:

A. Printing Bonds. The printing of the bonds, and

B. Final Certificates. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing of the bonds, the tenure and identity of the officials of the Council and of the City, the delivery of the bonds, the receipt of the bond purchase price, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof, and also relating to the absence and existence of factors affecting the status of the bonds under Section 103 (c) of the Internal Revenue Code of 1954.

Section 32. Bondholder's Remedies. Each holder of any bond issued hereunder shall be entitled to all of the privileges, right and remedies provided at law or in equity or by statute, except no real or personal property pertaining to the system or otherwise has been conveyed to secure the payment of the bonds by deed of trust, or mortgage to a trustee for the benefit and security of the holder or holders from time to time of the bonds authorized hereunder or by any other encumbrance or other pledge of property, subject to the provisions herein concerning the pledge of and the covenants and the other contractual provisions concerning revenues of the joint system. Nothing in this Section contained shall affect or impair the right of any holder of any bond issued hereunder to enforce the payment of the Bond Requirements due in connection with his bond or the obligation of the City to pay the Bond Requirements of each bond issued hereunder to the holder thereof at the time and the place expressed in the bond and in the appurtenant coupons.

Section 33. Privilege of Amendments. This resolution may be amended or supplemented by instruments adopted by the Council in accordance with the Laws of the State, without receipt by the City of any additional consideration, but with the written consent of the holders of 66% in aggregate principal amount of the bonds authorized by this resolution and outstanding at the time of the adoption of such amendatory or supplemental instrument (not including in any case any bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the bonds herein authorized if such refunding securities are not owned by the City).

Section 34. Limitations upon Amendments. No such instrument shall have the effect of permitting, without the consent of the holders of 100% in aggregate principal amount of the 1980 Bonds outstanding at the time of the adoption of such instrument:

A. A change in the maturity or in the terms of redemption of the principal of any outstanding bond; or

B. A reduction in the principal amount of any bond, without the consent of the holder of the bond; or

C. The creation of a lien upon or a pledge of revenues ranking prior to the lien or to the pledge created by this resolution; or

D. A reduction of the principal amount or percentages or otherwise affecting the description of bonds, the consent of the holders of which is required for any such modification or amendment; or

E. The establishment of priorities as between bonds issued and outstanding under the provisions of this resolution; or

F. The modification of or otherwise affecting the rights of the holders of less than all of the bonds then outstanding.

Section 35. Resolution Irrepealable. The provisions of this resolution shall constitute an irrevocable contract between the City and the holder or holders of the 1980 Bonds. After the issuance of any of the 1980 Bonds, this resolution shall be and remain irrepealable, and no change, variation or alternation of any kind in the provisions of this resolution shall be made in any manner, except as provided in Sections 33 and 34 of this resolution, until such time as all of the Bond Requirements shall have been paid in full, cancelled and discharged, as herein provided or provision duly made therefor.

Section 36. Repealer Clause. All orders, bylaws, and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any order, bylaw or resolution, or part thereof, heretofore repealed.

Section 37. Severability Clause. If any section, paragraph, clause or provision of this resolution shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 38. Effective Date. This resolution shall become effective and be in full force and effect after its passage by the City Council of the City of Blanding.

Section 39. Publication of Notice of Bonds to be Issued. Pursuant to Section 11-14-21 (2), UCA, 1953, as amended, the City Recorder is hereby authorized and directed to publish a notice of bonds to be issued in the San Juan Record, the legal newspaper of the City, which is in general circulation therein (there being no newspaper published in the City) by at least one insertion in said newspaper. Said notice shall be in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

City of Blanding, Utah

NOTICE IS HEREBY GIVEN pursuant to Section 11-14-21, Utah Code Annotated, 1953, that the City of Blanding will issue its bonds described as the "City of Blanding, Utah, Joint Electric, Water and Sewer Revenue Bonds, Series April 1, 1980" which may be evidenced by a single registered bond (such bonds, whether evidenced by 40 \$5,000 denomination bonds or by a single registered \$200,000 denomination bond, are herein referred to as the "Bonds").

The issuer of the Bonds is the City of Blanding, Utah. The Bonds are being issued for the purpose of paying the cost of improving, enlarging and extending the City's joint electric, water and sewer system, including without limitation, by the construction and other acquisition of a water well, a pump station and a water transmission line, and all costs incident to the authorization and issuance of Bonds. The Bonds shall be revenue bonds payable solely from the net revenues of the City's joint electric, water and sewer system. The Bonds shall be evidenced by a single registered bond in the denomination of \$200,000, payable in installments of principal of \$5,000 per year on April 1 in each of the years 1981 to 1986 inclusive, \$20,000 on April 1, 1987, and \$30,000 per year in each of the years 1988 to 1992 inclusive; however, such single bond may be exchanged for negotiable bearer bonds or registered bonds, in the denomination of \$5,000 each, in an aggregate principal equal to the amount of unpaid principal installments on such single bond, numbered and maturing on April 1 in each of the designated years in the amounts as follows:

<u>Bond Numbers</u> <u>(All Inclusive)</u>	<u>Amounts</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
1	\$ 5,000	1981
2	5,000	1982
3	5,000	1983
4	5,000	1984
5	5,000	1985
6	5,000	1986
7 - 10	20,000	1987
11 - 16	30,000	1988
17 - 22	30,000	1989
23 - 28	30,000	1990
29 - 34	30,000	1991
35 - 40	30,000	1992

The Bonds shall not bear any interest. The Bonds are being purchased for their par amount (i.e., \$200,000) with no discount and no premium. No deposit has been made by the Purchaser of the Bonds. The Purchaser of all of the Bonds is the State of Utah, acting by and through the Board of Water Resources.

Copies of the Resolution of the City authorizing the Bonds, and other proceedings pertaining thereto may be examined at the office of the City Recorder between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday (i.e., during regular business hours of the City). Such copies shall be available for inspection at least until June 30, 1980 (i.e., 30 days following the publication of this notice).

(End of Notice)

Section 40. Contests. In accordance with Section 11-14-21 (3) Utah Code Annotated 1953, for a period of thirty days after the date of the publication of the Notice of Bonds to be Issued, any person in interest shall have the right to contest the legality of such resolution, or any other proceedings pertaining to the bonds or any of the improvement revenue bonds authorized hereby, or any of the provisions made for the security and payment of said bonds, and after such time no one shall have any cause or action to contest the regularity, formality or legality thereof for any cause whatsoever.

ADOPTED AND APPROVED this 14th day of May, 1980.

S/ De Lamar Gibbons, M.D.
Mayor, City of Blanding
State of Utah

(SEAL)

ATTEST:

S/ Francis D. Nielson
City Recorder, City of Blanding
State of Utah

Councilman Bradford moved the adoption of the foregoing resolution, which motion was seconded by Councilman Lyman, put to a vote, and was carried by the affirmative vote of all members, the vote of the Council being as follows:

Those Voting Aye:	DeLamar Gibbons, M.D.
	Bruce N. Black
	Cleal Z. Bradford
	Jon L. Hunt
	Francis M. Lyman
	LaRue McDaniel

Those Voting Nay:	None
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Those Absent:	None
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Thereupon, other business not concerning joint system facilities or revenue bonds was considered.

Thereafter, there being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

ADOPTED AND APPROVED THIS 14th day of May, 1980.

S/ De Lamar Gibbons, M. D.
Mayor, City of Blanding
State of Utah

(SEAL)

ATTEST:

S/ Francis D. Nielson
City Recorder, City of Blanding
State of Utah

5. The following letter was read in full to the Council by Mayor Gibbons:

Department of Transportation
Federal Aviation Administration
Rocky Mountain Region
10455 East 25th Avenue
Aurora, Colorado 80010
May 9, 1980

Honorable De LaMar Gibbons
Mayor of Blanding
Blanding City Hall
Blanding, Utah 84511

Dear Mayor Gibbons:

It is a pleasure to advise you that \$85,000 has been allocated under the terms of the Airport and Airway Development Act of 1970, as amended, for a project at the Blanding Municipal Airport to perform the following development under the fiscal year 1980 Airport Development Aid Program:

Acquire land for airport development and clear zones.

This allocation of funds is firm for the specific items of development set forth insofar as the United States is concerned, so long as the formulation of the project is carried forward with diligence so that a grant agreement may be executed and the project work commenced at the earliest feasible time.

Sincerely,

S/ Victor J. Kiesling for

Robert P. Mensing, Chief
Engineering and Development Branch
Airports Division

cc:
Governor of Utah
Division of Aeronautics
City Administrator

6. Mayor Gibbons advised the Council that Gene and Dino Edstrom of Cortez, Colorado have indicated some interest in installing a cable Television system in Blanding and may attend a future Council meeting to discuss the matter.

7. Mayor Gibbons notified the Council of a public hearing scheduled June 18, 1980 in Salt Lake City by the State Water Pollution Control Committee and State Board of Health in the matter of the revision of the priority system and list for allocation of Federal EPA grant funds for public sewerage facilities projects.

8. Councilman Bradford reported his attendance at a meeting of San Juan County, San Juan School District, Blanding and Monticello cities representatives, held for the purpose of discussing cooperative development and operation of recreation facilities. San Juan County Commissioner, Edward S. Boyle, was appointed Chairman of a committee to study the matter.

9. Following a discussion of the proposed Alexander Park development, Councilman Bradford agreed that a task committee under the direction of the Planning Commission would undertake the responsibility of preparing a revised park development plan.

10. Councilman Lyman advised that he, Mr. Lynn Wright, City Fire Chief; and Mr. John Baker, San Juan County Fire Marshall; have initiated discussions relative to a needed, comprehensive five year fire protection plan to, hopefully, include all of San Juan County on a districting basis.

11. Councilwoman McDaniel commended the Police Department for the development of a safety program designed to teach children street and highway traffic safety. She advised that the bicycle safety program has been postponed due to the unavailability of some teaching equipment.

12. Councilwoman McDaniel advised that John P. Seely, City Streets Foreman has requested an increase in salary. The Council agreed that, excepting for budgeted ~~cost-of-living~~ increases scheduled to be effective July 1, 1980, no salary increases can be offered at the present time.

13. Following discussion of renovation and maintenance necessary to the Council chambers, motion was made by Councilman Hunt and seconded by Councilman Bradford that the proposal of Custom Floor and Furnishings to install carpet and drapes in the Council chambers, at a cost of \$2,026.69, be accepted.

Voting on the motion being as follows:

Those voting "aye": Councilman Bradford
Councilman Hunt
Councilman Lyman
Councilwoman McDaniel

Those voting "Nay": Councilman Black
Whereupon Mayor Gibbons declared the motion carried.

14. Councilwoman McDaniel agreed to discuss with Mr. David Lacy of Arrowhead Construction Company, the 5th North-2nd West curb, gutter and sidewalk project, to the effect that if his company is unable to meet its earlier commitment to the project, the City will hire another contractor.

15. The Engineer advised the Council that an attempt to measure and compare the flow of water at the head and end of the Dusett ditch had been inconclusive due to water in-let fluctuation.

16. The Engineer informed the Council that the cause of pipe "hammering" in the Northwest section of the City, has been found to be in the operation of the altitude valve at the 110,000 gallon storage tank; that adjustments have reduced the problem and further study is being given the matter.

17. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1980-7

BE IT RESOLVED by the City Council that the D. L. Gibbons Family Corporation be granted a Conditional Use Permit for the construction of multiple family dwelling units on Lot 4, Block 53, Blanding Townsite Survey, Plat A, consistent with Section 1 - A - 2.4 of Blanding City Ordinance No. 1978-1, as amended.

PASSED, ADOPTED and APPROVED this 14th day of May, 1980.

S/ _____
DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ _____
Francis D. Nielson
Recorder

18. Following a discussion of the negative and impertinent attitude demonstrated by some of the local Department of Transportation maintenance employees relative to a request by a City official for in-city street maintenance consideration by the Department, the Council requested a letter be written to the area Commissioner of the Utah State Department of Highways, suggesting a more cooperative and respectful attitude from their local employees is warranted.

19. Councilman Bradford and the Engineer reported the following from a presentation by Mr. Dennis Strong of the Utah Water Resources Board at a City Planning Commission meeting, relative to the proposed Recapture Dam project:

- A. Currently, the project is being delayed by the Department of Transportations reluctance to allocate Highway realignment funds to the project.
- B. During the month of July, the responsible entities will conduct a tour of the reservoir site.
- C. Subject to all agencies carrying out their responsibilities the project could be bid **sometime in the fall of this current year**. The bid date should be no later than the spring of 1981.
- D. The estimated construction time is one year.
- E. The project may be enhanced by the City of Blanding taking an official position in favor of it.

Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1980-8

A RESOLUTION SUPPORTING CONSTRUCTION
OF THE RECAPTURE DAM

WHEREAS, the San Juan Water Conservancy District, Utah State Water Resources Board, Blanding Irrigation Company and others have proposed to construct an earthen dam on what is known as Recapture Creek, in San Juan County, east of the community of Blanding; and,

WHEREAS, the impoundment of water behind such dam would be of considerable significance to the local agriculture economy, offering some stability to irrigated farming enterprises; and,

WHEREAS, the reservoir created by such water impoundment would necessitate realignment of U. S. Highway 163 in an extremely hazzardous travel area, eliminating further loss of life on its increasingly used, treacherous, winding and steep course; and,

WHEREAS, there would be created a needed recreation facility, increasing the area scenic value as well as providing other aesthetic values; and,

WHEREAS, in times of low rainfall, the conservation pool of the said reservoir could be made available to the City of Blanding for culinary purposes, for which the City has obligated itself to the Blanding Irrigation Company to assist in their financial obligation to the project;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the City of Blanding supports the construction of the proposed Recapture Dam project, hereby reaffirms its position to participate in the financial obligation of the Blanding Irrigation Company relative to the said project and urges all agencies and entities involved with the project to **continue** their commendable effort, with due diligence, so that construction may be completed at the earliest possible date.

PASSED, ADOPTED and APPROVED this 14th day of May, 1980.

S/ _____
DeLamar Gibbons, M. D.
Mayor

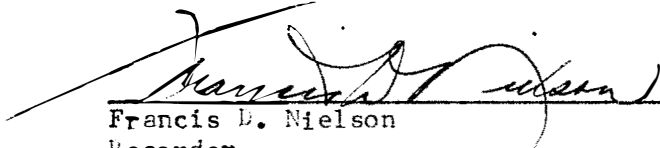
ATTEST:

S/ _____
Francis D. Nielson
Recorder

20. Mr. Rex V. Harrison of Horrocks Engineers, Inc. was introduced to the Council by the Engineer.

21. The Recorder presented to the Council for their study and consideration, proposed operating budgets for the General Fund, Class C Road Fund, Collector Road Fund and Bond Redemption and Interest Fund as well as cash budgets for the Waste Collection, Airport and Electric, Water and Sewer enterprises and an Electric, Water and Sewer Systems Capital Improvements proposal, for the Fiscal Year ending June 30, 1981, in the amounts of \$511,731.06, \$55,774.84, \$21,941.38, \$42,424.50, \$45,911.00; \$64,080.00, \$946,570.00 and \$2,950,478.00, respectively.

Meeting adjourned at 11:05 P.M.


Francis D. Nielson
Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD MAY 28,
1980 AT 8:00 O'CLOCK P.M. IN THE CITY
HALL.

Present were: Mayor DeLamar Gibbons, M.D.

City Councilmembers: Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent was City Councilmember Bruce N. Black

Also Present: Mr. Gene Edstrom of Arrowhead Enterprises, Cortez, Colorado

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held May 14, 1980 were approved.
3. Mr. Gene Edstrom of Arrowhead Enterprises, Cortez, Colorado, presented to the Council a proposal for cable television installation in the community, following which he requested authorization to conduct a marketing survey within the City relative to the economic feasibility of his proposal. The Council approved a letter to be written to Mr. Edstrom authorizing his proceeding with the desired marketing survey.
4. The following letter was read in full to the Council:

Four Corners Community Broadcasters, Inc.
P. O. Box 791
Blanding, Utah 84511
May 3, 1980

Dear Sirs:

You already have some of our materials, and have met with us. We will be requesting aid from all city governments within our Broadcast range. What we are asking each city government to do is contribute \$1,000.00 out of their budgets to bring this idea into a reality. As you are aware, we use one of the rooms in Blanding City and are not going to ask Blanding City for \$1,000.00. Instead, we are requesting \$400.00. On the enclosed sheet you will find a budget showing where the money will be spent. Our station location will be in Blanding. We hope the city can give us this grant. We deeply appreciate what you have already done for us, and hope we will not let you down. We are requesting the money for a date of 1 June if at all possible.

Thank you for your assistance.

Sincerely,
S/ Ben T. Hendricks
Station Manager
FCCB

The Council declined further participation in this effort, citing restraining ethical and moral business fundamentals relative to subsidizing competitive enterprises.

5. Councilman Lyman read to the Council, a proposed Connection Fee Credit Agreement by and between the City of Blanding and Energy Fuels Nuclear, Inc. wherein for certain utilities connection fee credits, Energy Fuels Nuclear, Inc. would pay to the City \$80,000.00 to be used in the drilling of a proposed large diameter, deep water well.

Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Hunt and unanimously approved.

RESOLUTION NO. 1980-9

A RESOLUTION AUTHORIZING EXECUTION
OF A CONNECTION FEE CREDIT AGREEMENT

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement by and between Energy Fuels Nuclear, Inc. and the City of Blanding, known as Connection Fee Credit Agreement and dated May 20, 1980, the same to be attested to by the City Recorder.

PASSED, ADOPTED and APPROVED this 28th day of May, 1980.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

6. The Recorder reported the hiring of Energy Drilling and Development Company for performing necessary maintenance on the Southeast water well; that the Company was successful in removing debris from the well and preparing the same for pump installation when such may be required.

7. The following was read in full to the Council by Councilman Bradford:

Hurst Construction Company
P. O. Box 47
Blanding, Utah 84511

Blanding City Council
Blanding, Utah

Dear Sirs:

By means of this letter I hereby submit my resignation as a member of the City planning and zoning commission. This resignation is submitted for the following reasons:

- 1) I am frequently unable to attend commission meetings during the summer season.
- 2) I will be moving from the city limits this fall.

I have appreciated the opportunity of serving on the planning and zoning commission during the past three years.

Sincerely yours,

S/ Pete M. Black

The Council requested that a letter be written to Mr. Black in appreciation of his service to the City.

The Planning Commission and Council will consider a possible appointee to the Planning Commission as a replacement for Mr. Black, to be effected at the earliest possible date.

8. The Council discussed the Lions Club Park proposed for the area north of the San Juan Nursing Home. A decision as to whether or not to proceed with the park will be deferred until the status of the nursing home operation and improvement have been resolved.

The Council agreed that the area south of the Water Treatment Plant may be a suitable park site alternative.

9. Councilman Lyman advised the Council that discussions are currently being held with Energy Fuels Nuclear, Inc. relative to possible City-Company Cooperative fire protection services.
10. Councilwoman McDaniel advised the Council that the local Utah Department of Transportation crew has responded to the City's request that they perform certain needed maintenance on U. S. Highway 163 within the corporate limits of the City by cleaning the street and the adjacent gutters.
11. The Engineer reported that construction has commenced on the 5th North Street curb, gutter and sidewalk project.
12. The Council approved payment of San Juan County Road Department personnel salaries for work to be performed in connection with the City Cleanup program scheduled for Saturday, June 7, 1980.

Meeting adjourned at 10:40 P.M.

Francis D. Nielson
Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JUNE 11, 1980 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

City Attorney: Grant A. Hurst

Absent were Councilmen Bruce N. Black
Jon L. Hunt

1. Prayer was offered by the Recorder.
2. Minutes of City Council meeting held May 28, 1980 were approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried:

RESOLUTION NO. 1980-10

A RESOLUTION RELATIVE TO SUBMISSION
OF AN APPLICATION TO FARMERS HOME
ADMINISTRATION FOR FINANCIAL ASSIST-
ANCE UNDER THE RURAL DEVELOPMENT
SECTION 601 ENERGY IMPACT AREA
DEVELOPMENT ASSISTANCE PROGRAM

WHEREAS, the City of Blanding has adopted a water system master plan which includes, among other necessary improvements, the drilling of a large diameter, deep water well to tap the Navajo sandstone aquifers as well as the construction of raw water storage facilities to hold the spring run-off water from the Abajo Mountain watershed, to which the City has certain appropriated rights; and,

WHEREAS, the City Council of the City of Blanding, met in legal session on April 9, 1980, authorized the submitting of applications to Farmers Home Administration of the United States Department of Agriculture relative to obtaining and completing the above referenced projects;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that:

1. The City of Blanding, in the County of San Juan and State of Utah is an incorporated City, duly organized and existing under and by virtue of the laws of the State of Utah having been proclaimed a City of the Third Class on the 16th day of July, 1941.

2. The said City has the authority and is qualified to make application to the aforesaid Farmers Home Administration for financial assistance under various programs of such administration, including Farmers Home Administration Rural Development Section 601 Energy Impact Area Development Assistance Program.

3. Philip L. Palmer, Blanding City Engineer is authorized to prepare and file applications in behalf of the City of Blanding under the aforesaid program, including representing the City in connection with the application relative to providing any information which may be required.

4. It hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements, including Office of Management and Budget Circular Nos. A-87, A-95 and A-102, as they relate to the said applications acceptance and use of Federal funds for this federally assisted project.

5. It will comply with the provisions of Executive Order 11296, relating to evaluation of flood hazards, and Executive Order 11288, relating to the prevention control and abatement of water pollution.

6. It will have sufficient funds available to meet the non Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

7. It will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding, that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications, that it will submit to the appropriate Federal agency for prior approval changes that after the costs of the project, use of space, or functional layout, that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

8. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications, that it will furnish progress reports and such other information as the Federal grantor agency may require.

9. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

10. It will give the grantor agency and the Comptroller General through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

11. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A 117.1-1961, as modified (41 CFR 101-17703). The City will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

12. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and that the project will be prosecuted to completion with reasonable diligence.

13. It will not dispose of or encumber its title or other interests on the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

14. It will comply with Title VI of the Civil Right Act of 1964 (PL 88352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the City received Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the City, this assurance shall obligate the City, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

15. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

16. It will comply with the requirements of Title 11 and Title 111 of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91.646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.

17. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Office of Management and Budget Circular No. A-102.

18. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

PASSED, ADOPTED and APPROVED this 11th day of June, 1980.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

4. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1980-11

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain agreement known as Project Application and Grant Agreement For State Aid For Development of Public Airports, by and between the City of Blanding and the Utah Department of Transportation, Aeronautics Operations Division, for the purpose of making the following improvements or developments at the Blanding Municipal Airport:

Acquire land for Airport Development and Clear Zones.

A copy of the said agreement to be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 11th day of June, 1980.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

5. Mayor Gibbons advised the Council that Mr. Gene Edstrom of Arrowhead Enterprises had suggested to him that the City could assist him in financing his cable television venture in the City, by issuing Industrial Bonds, without encumbering the City's credit. The Mayor stated that although issuance of such bonds for the requested purpose may not be justified, the Council may want to give consideration to issuance of such bonds for enterprises which would enhance the local economy.

6. Councilman Bradford reported the following:

A. Walter C. Lyman Memorial: (Founders Day Program)

1. The Lyman Family Organization is cooperating in the design of an appropriate memorial sign or monument.
2. The task committee has approved the following relative to the Founders Day Program:
 - Schedule: July 5, 1980, 9:00 A.M.
 - Master of Ceremonies: Stanley N. Lyman
 - Speaker: Harold J. Lyman
 - Song: Grandsons of Walter C. Lyman
 - Dedication Ceremonies: Mayor Gibbons.

B. Recreation Facilities and Program Operation:

1. The San Juan County Commission has advised that effective January 1, 1982 it will no longer act as sole operator of recreation programs in San Juan County.
2. A meeting of San Juan County, Blanding City, Monticello City and Utah Navajo Development Council officials will be held on June 16, 1980 to discuss a cooperative recreation program for the various areas of the County to be based on the area needs and willingness to financially support a desired program.

C. Planning Commission Appointee-Replacement for Resigned Member:

The remaining Planning Commission members have considered several possible appointees. Mrs. Ruth J. Nielson will be invited to accept the position.

D. Alexander Park Task Committee:

Mrs. Linda Shumway has been requested to act as Chairman and has indicated she will serve, subject to formal appointment.

E. Health Facilities Task Committee:

The Health Facilities Task Committee has registered concern over the lack of activity by the San Juan County Health Facilities Ad Hoc Committee and the apparent abandonment of their initial assignment relative to the Blanding area residents health facilities needs. The Task Committee desires that the issue be revived and the assignment completed.

Councilman Bradford prepared a letter for submission to the Board of County Commissioners and County Health Officials indicating the attitude and desires of the Task Committee.

7. Councilman Lyman advised that he has received the recent Police Department Activity Report and that it indicated commendable operating progress by the Department. He expressed particular commendation for the efforts of Sergeant Thomas E. Austin for his solving of a number of recent crimes.

8. Councilwoman McDaniel discussed with the Council the following:

- A. The culvert on 5th South street between Main Street and 1st East Street. The Engineer indicated the final use to be made of the culvert has not yet been determined.
- B. The City and City officials should be involved in opposition to the Department of the Interior's proposal to "make wilderness" Areas of considerable acreage in San Juan County.
- C. The 5th North Street curb, gutter and sidewalk project is nearing completion; the 2nd West Street project must await engineering.
- D. Councilwoman McDaniel will write the Utah Department of Transportation, commending their maintenance efforts on U.S. Highway 163 within the City.
- E. Councilwoman McDaniel and Councilman Hunt will attend a meeting of the San Juan County Board of Commissioners relative to requesting their support in the construction of an administration building at the Blanding Airport.

9. The Recorder reported that he and the Engineer had met with officials of Farmers Home Administration relative to necessary financing for water system improvements; that the FmHA officials indicated they would welcome an application for assistance from Blanding City and would aid in any way possible, our completion of such an application.

-5-

10. The Engineer advised that July 9, 1980 has been tentatively set as the date for opening bids on proposals to drill a deep, large diameter water well for the City.

11. The Engineer reminded the Council that the Utah Energy Impact Board is meeting on Thursday, June 12, 1980; and that the Blanding City allocation for grant funds for Water Treatment Plant improvements will be on their agenda. It was agreed that the City Attorney should represent the City at the scheduled meeting.

12. The Council conducted a public hearing for the purpose of receiving written or oral comment relative to the expenditure of Federal Revenue Sharing funds to be received during the ensuing fiscal year. No comments were received and the Council concluded it's proposal to expend Revenue Sharing funds for water system improvements to be acceptable.

Meeting adjourned at 10:25 p.m.

Francis D. Nielson
Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
JUNE 25, 1980 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Councilmembers Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

Also Present were:
City Recorder Francis D. Nielson
City Engineer Philip L. Palmer

Absent was Mayor DeLamar Gibbons, M. D.

Others present were: Mr. Gene Edstrom, Arrowhead Enterprises; Mr. Ben Hendricks,
Four Corners Community Broadcaster, Inc.

The meeting was conducted by Councilman Lyman, Mayor Pro Tempore.

1. Prayer was offered by Councilman Black.
2. Minutes of City Council meeting held June 11, 1980 were approved.
3. Mr. Ben Hendricks, Four Corners Community Broadcasters, Inc. requested the City require one public access channel be provided by anyone granted a franchise for servicing the City with cable television and that his company be included in the franchise agreement as manager of such public access channel. He suggested that their management would be supervised by a committee suitable to, and without cost to, the City.
4. Mr. Ben Hendricks requested permission from the City to periodically fill a water tank from a valve on the influent line at the water treatment plant.

Motion was made by Councilman Bradford and seconded by Councilwoman McDaniel that Mr. Ben Hendricks be authorized to periodically fill a water tank from a water valve on the influent line at the water treatment plant, and that payment for the water obtained therefrom should be at the same rate as charged at the water loading valve at the City Fire Station.

Voting on the motion was as follows:

Those voting "aye": Councilman Bradford
Councilman Hunt
Councilman Lyman
Councilwoman McDaniel

Those voting "nay": None

Those abstaining: Councilman Black

Whereupon Mayor Pro Tem Lyman declared the motion carried.

5. The Council reviewed, in Public Hearing, the proposed operating budgets of the General Fund, Class C. Road Fund, Collector Road Fund and Bond Redemption and Interest Fund as well as the Cash Budgets for the Airport, Waste Collection and Electric, Water and Sewer Funds for the fiscal year ending June 30, 1981.

Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Bradford and unanimously carried:

RESOLUTION NO. 1980-12

A RESOLUTION PROVIDING FOR THE APPROPRIATION
OF FUNDS FOR OPERATION OF THE CITY OF BLANDING
DURING THE FISCAL YEAR ENDING JUNE 30, 1981

BE IT RESOLVED by the City Council of the City of Blanding, Utah that there be appropriated for operation of the City of Blanding during the fiscal year ending June 30, 1981, the following amounts from the respective funds and for the purposes shown:

CITY OF BLANDING
Operating Budget
1981

<u>REVENUE:</u>	Actual Revenue 1979	Current Year Estimates	Ensuing Year Approved Budget Appropriation
General property tax-current	71,566.88	84,415.28	88,000.00
General Sales & Use Taxes	73,019.58	80,605.00	82,000.00
Business Licenses & Permits	590.00	600.00	625.00
Buildings, structures & Equipment	5,463.50	5,600.00	6,000.00
Vehicle operation (Bicycle)	18.00	10.00	20.00
Animal licenses			750.00
General government	1,948.14		
Federal shared revenue	17,766.00	19,603.00	22,280.00
State grants	13,392.56	5,000.00	5,000.00
Class "C" road fund allotment	9,275.17	12,300.00	12,300.00
Collector road fund allotment	6,502.42	6,847.68	6,900.00
State liquor fund allotment	8,496.40	4,248.20	4,248.20
Grants from local units		6,500.65	27,200.00
Administrative & Engineering Fees		27,117.23	28,150.00
Street sidewalk & curb repair		12,000.00	12,000.00
Cemeteries - Lot Sales	270.00	700.00	600.00
Miscellaneous	415.46	2,013.05	1,500.00
Interest	2,057.96	480.00	350.00
Sale of materials & supplies	3,011.38	308.95	300.00
Contributions from other funds	19,992.09	21,000.00	22,000.00
Contribution Class "C" Road surplus	29,339.11	39,932.03	41,724.84
Contribution collector road surplus		6,679.70	14,325.38
Contributions general fund surplus	125,712.12	71,368.23	97,181.64
Taxes, Ret. Fund, Ins. Prem. Withheld	19,040.67	21,193.15	23,276.00
Total Revenue	\$522,819.30	\$425,023.80	\$511,731.06
<u>EXPENDITURES:</u>			
Board of commissioners	1,440.16	2,140.00	2,200.00
City & precinct courts	5,556.01	4,840.00	5,000.00
Recorder	3,470.39	22,308.00	25,428.00
Attorney	5,631.65	5,570.00	8,000.00
Surveyor (Engineer)	20,556.45	27,596.00	30,872.00
Non departmental (Audit)	870.00	870.00	960.00
Elections		1,077.39	800.00
Planning & Zoning	147.50	150.00	2,450.00
Education & Community Prom.	335.00	335.00	600.00
Law Enforcement	76,693.30	81,700.00	103,588.00
Protective inspection	60.00	50.00	60.00
Animal control		700.00	2,250.00
Streets & highways	53,073.20	66,826.00	162,726.00
Parks		1,475.00	41,750.00
Recreation & culture	542.21	250.00	750.00
Contribution to other funds	71,277.76	2,809.90	36,596.56
Taxes, Ret. Funds, Ins. Prem. Remitted	18,485.51	20,776.00	23,276.00
Transferred to Bond Fed. & Int. Fund	40,233.50	43,877.00	42,424.50
Excess of revenue over expenditures	117,979.96	153,231.86	- - - -
Total Expenditures	\$424,783.36	\$442,087.15	\$511,731.06

CITY OF BLANDING
Operating Budget
Class "C" Road Fund

	Actual 1979	Estimated 1980	Budget Estimated 1981
<u>REVENUE:</u>			
Class "C" Road fund allotment	9,275.17	12,300.00	12,300.00
Interest earnings	1,317.75	3,237.00	1,750.00
Total Revenues	10,592.92	15,537.00	14,050.00
Beginning balance-unapprop. surplus	29,339.11	39,932.03	41,724.84
Total Available for Appropriation	39,932.03	55,469.03	55,774.84
<u>EXPENDITURES:</u>			
Road maintenance		13,744.19	22,000.00
New Road Construction			28,000.00
Total Expenditures		13,744.19	50,000.00
Ending balance-unapprop. surplus	39,932.03	41,724.84	5,774.80
Total Expenditures & Ending Bal	39,932.03	55,469.03	55,774.84

COLLECTOR ROAD FUND

<u>REVENUES:</u>			
Collector road allotment	6,502.42	6,847.68	6,900.00
Interest earnings	177.28	798.00	716.00
Total Revenues	6,679.70	7,645.68	7,616.00
Beginning balance-unapprop. surplus	6,679.70	14,325.38	21,941.38
Total Available for Appropriation	6,679.70	14,325.38	21,941.38
<u>EXPENDITURES:</u>			
Road maintenance			3,200.00
New Road Construction			18,000.00
Total Expenditures			21,200.00
Ending balance-unappropriated surplus	6,679.70	14,325.38	741.38
Total Expenditures & Ending Bal	6,679.70	14,325.38	21,941.38

BOND REDEMPTION

<u>REVENUES:</u>			
Current year property taxes	40,233.50	43,877.50	42,424.50
Total Revenues	40,233.50	43,877.50	42,424.50
Total Available	40,233.50	43,877.50	42,424.50
<u>EXPENDITURES:</u>			
Retirement of bonds	22,000.00	27,000.00	27,000.00
Interest on bonds	18,072.50	16,712.50	15,260.00
Paying Agents Fees	161.00	164.50	164.50
Total Expenditures	40,233.50	43,877.00	42,424.50
Ending balance-unappropriated surplus	- - - - -	- - - - -	- - - - -
Total expenditures & ending Bal	40,233.50	43,877.00	42,424.50

CITY OF BLANDING

Operating Budget

REVENUE SHARING FUND

<u>REVENUES:</u>	Actual 1979	Estimated 1980	Budget Estimates 1981
Allotment	17,766.00	19,603.00	22,280.00
Earned Interest		1,011.27	1,569.00
Total Revenues	17,766.00	20,614.27	23,849.00
Beginning Balance-unappropri. surplus	16,016.60	9,419.48	30,033.75
Total Available for Appropriation	33,782.60	30,033.75	53,882.75
<u>EXPENDITURES:</u>			
Contributions to Other Funds (Water Sidewalk Project (Elementary School Area)	24,363.12		36,596.56
Total Expenditures	24,363.12	-0-	17,286.19
Ending Balance-unappropriated surplus	9,419.48	30,033.75	53,882.75
Total Expenditures & Ending Balance	33,782.60	30,033.75	-0-

WASTE COLLECTION

<u>REVENUE:</u>			
Service Sales (Gross)	32,137.00	34,182.00	45,716.00
Delinquent Penalties Assessed	218.14	420.00	430.00
Total Cash Receipts	32,355.14	34,602.00	46,136.00
Deduct:			
Discounts Allowed	(165.25)	(215.00)	(225.00)
Cash Accountability Adjustments:			
Increase-Decrease in Acct. Rec.	(410.75)	250.00	
Contribution from other funds	1,618.21	320.50	
Total Available For Disbursement	33,397.35	34,957.50	45,911.00
<u>EXPENDITURES:</u>			
Salaries & Wages	21,710.00	21,300.00	23,900.00
Employee Benefits	6,696.27	7,280.03	7,887.00
Office Expense	139.90	140.00	220.00
Equipment Maintenance & Operating Supplies	2,967.48	4,950.06	5,244.00
Professional & Technical Services	174.00	- - - -	- - - -
Insurance	1,601.20	1,137.41	1,280.00
Uncollectible Account Charges	108.50	150.00	170.00
Total Cash Disbursements	33,397.35	34,957.50	38,701.00
Ending Cash Balance	-0-	-0-	7,210.00
Total Disbursements & Ending Cash Bal	33,397.35	34,957.50	45,911.00

AIRPORT

<u>REVENUE:</u>			
Gasoline Taxes	1,860.30	2,997.30	3,300.00
Hangar Rent	800.00	1,000.00	2,945.00
Earned Interest	80.41	110.00	110.00
Total Cash Receipts	2,740.71	4,107.30	6,355.00
Contributions From Other Funds	3,623.50	2,489.40	
Federal, State and County Grants			91,398.00
Total Available for Disbursement	6,364.21	6,596.70	97,753.00
<u>EXPENDITURES:</u>			
Salaries and Wages	1,800.00	1,800.00	1,800.00
Employee Benefits	363.26	362.50	365.00
License	5.00	5.00	5.00
Office Expense and Telephone	232.07	418.00	360.00
Equipment Maintenance & Operating Supplies	2,323.65	2,495.00	2,500.00
Bldg & Grounds Maint. & Op. Supplies	707.33	310.00	360.00
Insurance	698.10	634.00	660.00
Public Notices	60.80	19.20	65.00
Professional & Technical Services	174.00	553.00	240.00
Total Cash Expenditures	6,364.21	6,596.70	6,355.00
Capital Expenditures			91,398.00
Total Disbursements & Ending Cash Bal	6,364.21	6,596.70	97,753.00

ELECTRIC, WATER & SEWER SYSTEMS
Cash Budget
Fiscal Year 1981

	Actual F.Y. 1979	3 Mos. Estimated F.Y. 1980	Estimated 1981
<u>REVENUES:</u>			
Sales and Services:			
Electric System	\$611,295.22	\$683,000.00	\$765,000.00
Water System	102,047.08	105,000.00	112,000.00
Sewer System	29,832.90	31,760.00	34,250.00
Delinquent Account Penalties:			
Electric System	2,822.61	5,275.00	5,900.00
Water System	562.35	1,080.00	1,150.00
Sewer System	207.71	380.00	400.00
Service Connections:			
Electric System	7,250.00	10,100.00	12,000.00
Water System	10,034.00	6,600.00	6,000.00
Sewer System	6,750.00	5,100.00	2,700.00
Sales of Materials & Supplies:			
Water System	392.32	- - - - -	- - - - -
Federal and State Grants:			
Water System	10,000.00		
Sewer System	13,050.00		
Fire Hydrant Use Charges:			
Water System	1,568.00	1,600.00	1,600.00
Property Rent:			
Electric System	2,760.00	2,760.00	3,000.00
Sewer System		25.00	
Total Operating Revenue	\$801,476.19	\$852,680.00	\$944,000.00
<u>DEDUCT:</u>			
Operating Charges:			
Electric System	181.24	192.00	250.00
Water System	200.75	268.00	310.00
Sewer System	160.50	165.00	190.00
Sales Tax Collections Included in Gross Receipts:			
Electric System	13,390.35	16,190.21	18,100.00
Total Deductions	13,932.84	16,815.21	18,850.00
Operating Income	\$787,543.35	\$835,864.79	\$925,150.00
Add:			
Other Income-Earned Interest	5,152.48	14,710.00	21,420.00
Total Income	\$792,698.83	\$850,574.79	\$946,570.00
<u>EXPENDITURES:</u>			
Operating Expenses:			
Salaries and Wages	52,331.00	41,677.00	51,540.00
Employee Benefits	14,193.17	12,400.00	15,462.00
Printing & Advertising; Ordinances and Publications	75.00	256.00	480.00
Travel	221.38	384.00	400.00
Office Expense and Supplies	2,637.46	2,920.00	3,100.00
Equipment & Facilities Maintenance and Operating Supplies	63,493.69	50,154.00	56,172.00
Buildings & Grounds Maintenance and Operating Supplies	6,653.75	3,370.00	3,600.00
Telephone	1,173.23	1,360.00	1,400.00
Professional & Technical Services	30,353.79	26,995.00	30,740.00
Special Departmental Supplies	160.00	190.00	250.00
Resale Power Purchases	416,138.53	540,000.00	640,000.00
Insurance and Surety Bonds	3,243.53	3,450.00	3,870.00
Uncollectible Account Charges	2,517.93	2,950.00	3,300.00
Total Operating Expenses	\$593,192.46	\$686,106.00	\$810,314.00
Net Income Available For Debt Retirement	\$199,503.37	\$164,468.79	\$136,256.00

6/25/80 cont.

Electric, Water & Sewer Systems cash budget cont.

DEDUCT:

Bond Debt Service Payment-Interest	(15,355.00)	(13,380.00)	(11,305.00)
Bond Principal Indebtedness Retires	(38,000.00)	(39,000.00)	(46,000.00)
BALANCE - In Excess of Debt Service and Redemption Requirements Available for Increase In Municipal Equity	\$146,148.37	\$112,088.79	\$ 78,951.00
LESS: Periodic Depreciation Charges Representative of Economic Deminution in Fixed Assets	(77,919.78)	(77,000.00)	76,000.00
Net Increase In Municipal Equity In Excess of Bond Principal Indebtedness Retired	\$ 68,228.59	\$ 35,088.80	\$ 2,951.00

ELECTRIC, WATER & SEWER SYSTEMS
Capital Improvements Budget
Fiscal Year 1981

REVENUES:

Funds on Hand:

Accumulated Surplus:

Electric, Water & Sewer Investment Fund	\$ 42,132.00
Electric, Water & Sewer Operating Fund	50,000.00

Grant Funds:

Energy Impact Account Grant	158,550.00
Earned Interest	19,050.00
Federal Revenue Sharing Funds	36,596.00
Total Funds on Hand	\$306,328.00

Bond Funding Proposals:

Water Resource Board	200,000.00
Farmers Home Administration loan	600,000.00
G. O. Bond Sales	350,000.00
Revenue Bond Sales	565,000.00
Total Bond Funds	\$1,715,000.00

Grant Funds:

Environmental Protection Agency	727,150.00
Farmers Home Administration (601)	122,000.00
Total Grant Funds	\$849,150.00

Connection Fee Credit Agreement:

Energy Fuels Nuclearm Inc.	80,000.00
Total Capital Funds	\$2,950,478.00

EXPENDITURES:

Sewer Treatment Facilities	904,750.00
Water Well	370,000.00
Raw Water Storage Reservoir (2)	388,000.00
Water Treatment Plant Improvements	120,000.00
Tunnel Improvements	80,000.00
Raw Water Transmission Facilities	720,000.00
Distribution System Improvements	367,728.00
Total Capital Expenditures	\$2,950,478.00

Councilman Lyman left the meeting and by mutual consent of the Council members, Councilman Black conducted the balance of the meeting.

6. The following letter was read in full to the Council:

State of Utah
Department of Health
Division of Environmental Health
150 West North Temple
P.O. Box 2500
Salt Lake City, Utah 84110
June 4, 1980

Honorable Mayor and City Council
City of Blanding
P.O. Box 68
Blanding, Utah 84511

Re: O&M Inspection of the Waste
Stablization Ponds
Rating: Unacceptable

Gentlemen:

On May 7, 1980 Scott M. Hopkins and I conducted an operation and maintenance (O&M) inspection of the Blanding Waste Stabilization Ponds. The inspection report has been included and a copy has been sent to the Denver office of the United States Environmental Protection Agency (U.S. EPA)

The overall rating of this facility is unacceptable. To receive an acceptable rating the following items require your immediate attention and correction:

1. The dikes are overgrown with weeds and trees. The weeds on the inside slope of the dike and the dike roads should be removed. Acceptable control methods are cutting, spraying and burning. The county health department has the authority to issue burning permits for this type of burning. The weeds on the outside slope of the dikes do not have to be controlled. They provide the necessary ground cover for the dike. Trees cannot be permitted. Their roots penetrate and weaken the dike. The trees should be cut down.
2. The scum, floating algae mats and cattails in the ponds should be removed. At this time there are no herbicides approved to be used in the ponds to control these unwanted types of algae and cattails. You will be notified if this policy changes.
3. The gate should be locked at all times.
4. The ponds were originally designed for total containment. The present method of discharging effluent is not acceptable because of the possibility of discharging raw sewage.
5. Samples of the influent and effluent to the lagoons should be collected. These samples must be analyzed for your NPDES Permit parameters, such as BOD, total suspended solids, ph, oil and grease, total and fecal coliforms. This data should also be entered on your monthly operating reports as well as the NPDES discharge permit report.
6. The present method of flow measurement is inadequate. A continuous reading flow recorder should be installed.

The city should coordinate its improvement program with the grant process.

Additional comments are found in the O&M report.

Please respond to the Bureau within 30 days of the receipt of the letter, indicating the city's intentions and programs to correct these problems. Another inspection will be scheduled to verify the correction of the problems and to reassess the facility's ratings.

Please contact this office regarding any questions you may have with regards to the letter or the O&M report.

Very truly yours,
S/ Stephen L. Moehlmann
Public Health Engineer
Bureau of Water Pollution Control

The Council discussed the Sewer 201 Facility Plan Study relative to necessary sewer treatment facilities and the contract with Henningson, Durham and Richardson, Inc. for completion of the study. It was agreed generally that HD&R, Inc. has indicated an apparent lack of interest in completion of the study and that consideration should be given to cancellation of their contract. The matter is to be referred to the City Attorney for counsel.

7. Mr. Gene Edstrom of Arrowhead Industries, discussed with the Council their possibly granting his company a franchise for cable television installation within the City consistent with the terms and conditions of a sample franchise agreement furnished for review. The Council agreed that action of the matter should await the review and recommendation of the City Attorney.

8. The Council discussed policies relative to employee use of City facilities and equipment. It was agreed that this matter should be addressed in the assignment of Councilman Bradford and the Administrator relative to employee/ employer relationship guidelines, policies and requirements.

9. Councilman Bradford advised the Council that San Juan County is currently considering various proposals for operation of health facilities within the County and that it would be desirable for the City to take a formal position in the matter of health facilities and services for the community.

10. Councilwoman McDaniel reported attendance at a meeting of San Juan County, San Juan School District, Blanding City and Monticello City representatives relative to County recreation program operations, future requirements, possibilities and policies. It was suggested that the various areas of the County formulate their desired recreation program, both as to facilities construction and operation, based on that areas ability to finance a portion of the program on a suggested 40-40-20 percent basis, with the County and School District furnishing 40% of costs each and the area 20% of costs. The recreation program is still being studied.

11. Councilwoman McDaniel reported that the following have been appointed to the Citizens Committee for development of the Alexander Park, subject to the Council approval:

Lynda Shumway, Chairman
Sallee Billings
Donna Jones
William Nakai
Ned Smith

Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the action appointing the foregoing citizens to the Alexander Park Committee be, and the same is hereby, ratified and confirmed.

12. Motion was made by Councilman Bradford, seconded by Councilman Hunt and unanimously carried that the Administrator be authorized to purchase from Mr. Gordon Bird and Mr. Wilbur Winter, a tract of land approximating 5 acres at a price not exceeding that paid by Energy Fuels Nuclear, Inc. or their subsidiaries for like land adjacent to that proposed for purchase; the purchase price to be applied by Bird and Winter on the Canyonlands 21st Century Corporation utility account.

13. The Council discussed the matter of Mr. Kelly Laws obstructing the operation of the City Water system servicing his residence in the prohibiting of access to the water meter box and installation of a water meter. Councilman Black agreed to pursue the matter and advise as to proper action.

Meeting adjourned at 11:05 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD JULY 23,
1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent was Councilman Jon L. Hunt

Also present were: Mr. Ferd Johnson and Mrs. Joslyn Johnson

1. Prayer was offered by Councilman Lyman.
2. Minutes of City Council meeting held June 25, 1980 were approved.
3. The Recorder advised the Council that in connection with Docket No. ER79-121 before the Federal Energy Regulatory Commission, the City has received a refund from Utah Power and Light Company in the amount of \$52,764.62.
4. The Recorder reported to the Council that communications have been received from Utah Division of State History, advising that a 100% survey (Class III) should be conducted by a qualified archeologist and historian on sites proposed for the drilling of a large diameter water well together with its required water transmission line right-of-way, and the proposed Starvation water storage reservoir.
5. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1980-13

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Mayor be, and he is hereby, authorized to execute that certain contract by and between the City of Blanding and the Utah State Division of Community Development, wherein the City is granted funds to make improvements to the Blanding Water Treatment Plant; that a copy of said contract be attached hereto and made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 23rd day of July, 1980.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

6. Motion for adoption of the following resolution was made by Councilman Bradford, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1980-14

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the property Tax Mill levy for the City of Blanding, Utah for the year 1980 shall be as follows:

General City Purposes	13.25 Mills
Interest and Sinking Fund	<u>12.00 Mills</u>
Total Municipal Levy	25.25 Mills

PASSED, ADOPTED and APPROVED this 23rd day of July, 1980.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

7. Mayor Gibbons made a statement of commendation relative to the organizers and participants in the recent community Founders Day-Independence Day observance and celebration.
8. Mayor Gibbons reported briefly to the Council, the activities of the recently concluded National Republican Convention.
9. Councilman Lyman discussed with the Council, general dog problems and the status of the dog pound. He agreed to pursue with the City Attorney, necessary revisions of the dog ordinance for later consideration by the Council.
10. Councilwoman McDaniel advised that the County Commissioner assigned to effect organization of a study group for formulating a County-wide recreation program, has failed to complete his assignment.
11. Councilman Black advised that Kelly Laws will move his truck from off the water meter cover at his residence when the water department is ready to install a water meter.
12. Councilman Bradford advised that in his opinion the proposed large diameter water well could profitably be drilled on the city's property adjacent to the 1.0 M.G. water storage reservoir and he desires that the City records so indicate.
13. Councilman Black advised that the garbage truck is in a state of dis-repair and will need to be replaced in the near future. The Council agreed that the City should investigate the possibility of leasing a garbage unit and requested the Recorder commence negotiations with various leasing firms for such a unit.
14. Councilman Black advised that the water task committee will meet Wednesday, July 30, 1980 relative to completing a survey of the water collection system needs. He further advised that the committee expects certain Blanding Irrigation Company water stock to become available within the ensuing year and that it is the committees recommendation that any such available water stock should be purchased by the City.
15. The Recorder proposed to the Council that the City present to San Juan County, the following financial arrangements for construction of an administration building at the Blanding Airport:

PROJECT COST ESTIMATE.

Butler/Armco/Stran-Steel Type Building	\$45,000.00
Site Preparation	2,500.00
Contigencies	<u>2,500.00</u>
Total	\$50,000.00

PROPOSED PROJECT FINANCING.

We propose that the project be financed on a 50/50 cost sharing basis between Blanding City and San Juan County, with San Juan County front-ending the total cost and Blanding City repaying its proportionate share from the following revenue measures to be effected by the City:

Property Tax Levy - 1 mill annually until
repayment is complete - approximately \$ 4,000.00

1¢ per gallon gasoline use assessment,
120,000 gallons annually @ 1¢ 1,200.00

Tie-Down Fee Charges:

Daily - av. 3 X 2.00 = 6.00 X 365 =	2,190.00
Monthly - av. 3 X 15.00 = 45.00 X 12 =	540.00
Annual - av. 5 X 120.00 =	600.00

Application of funds currently paid in wages	1,800.00
	<u>\$10,330.00</u>

A maximum of three years should be required for repayment.
Following retirement of the debt, those measures required for an un-
subsidized airport operation may be continued.

The Council agreed that such proposal should be presented to the Board
of San Juan County Commissioners.

16. The Recorder reported that the State Energy Impact Board Committee auditors
have completed an audit of the cities' accounts relative to grants received from
such agency, and that the auditors indicated everything is in order.

17. The Engineer reported to the Council that the Utah Department of Transportation
has allocated \$4,250.00 to the City of Blanding for further Main Street (U. S.
Highway 163)sidewalk construction, under the Pedestrian Safety Projects program.

18. The Engineer read the following letter to the Council:

State of Utah Dept. of Natural Resources
Division of Water Rights
200 Empire Building
231 East 400 South
Salt Lake City, Utah 84111
July 15, 1980

Philip L. Palmer
City Engineer
City of Blanding
P. O. Box 68
Blanding, Utah 84511

Dear Mr. Palmer

Re: Camp Jackson Reservoir

I appreciate very much you keeping this office informed of your
pursuance of the repair of the above mentioned dam. It should be noted
that this office has no specification requiring that the site be drilled.
Samples from both the embankment and borrow areas could be utilized to
determine densities and relative compaction of the existing structure.
Based upon this sampling and some trenches utilizing a back hoe, it may
be possible to gather sufficient information and yet keep costs at a minimum.

This office stands ready to assist you.

Sincerely,
S/ Earl M. Staker
Deputy State Engineer

19. The Engineer discussed with the Council the status of the agreement with
Henningson, Durham and Richardson, Inc. relative to the completion of the Sewer
201 Facility Plan, indicating that the City Attorney is working on the matter
and it appears to be near resolution.

20. The Engineer reported that Arrowhead Construction (David Lacy) was low
bidder on the 2nd West Curb, Gutter and Sidewalk project and is proceeding with
the same; he further reported that Nielson Sand and Rock was low bidder on
furnishing concrete for such project.

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21. Councilman Bradford again stated that it is his opinion that the obtaining of proper health facilities for the citizens of Blanding and its environs, requires that the City of Blanding take an official stand relative to the selection of an Administration Board or operating Agency for health facilities within the County. The matter was discussed by the Council. No official action was taken.

Meeting adjourned at 10:25 P.M.'

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
AUGUST 13, 1980 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Absent was City Councilman Bruce N. Black

Also Present were: Mr. Gene Edstrom, Arrowhead Enterprises; Mrs. Judy Mainord, Community School Group Sidewalk Committee; Mr. Stan Howell, Blanding Chamber of Commerce; Mrs. Marsha Keele, Correspondent, Deseret News.

1. Prayer was offered by the City Engineer.
2. Minutes of City Council meeting held July 23, 1980 were approved.
3. The following ordinance was read by the Council:

BLANDING CITY ORDINANCE
No. 1980 - 4

AN ORDINANCE GRANTING A FRANCHISE TO ARROWHEAD ENTERPRISES, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF BLANDING, UTAH, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE, AND PROVIDING FOR CITY REGULATION AND USE OF THE CABLE TELEVISION SYSTEM AND PROVIDING FOR A PUBLIC HEARING. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANDING, UTAH:

BE IT ORDAINED by the City of Blanding, A MUNICIPAL Corporation of the State of Utah, that:

Section I. A new Chapter 8-300 is adopted as follows:

8-300. FRANCHISES.

Section II. A new part 8-310, Chapter 8-300, is adopted as follows:

8-310. CABLE TELEVISION FRANCHISE.

A. DEFINITIONS: For the purpose of this ordinance, unless the context otherwise requires, the following terms, phrases, abbreviations and their derivatives shall have the meaning herein given. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural.

(1). "City" means the City of Blanding, Utah.

(2). "Council" means the governing body of the City.

(3). "Grantee" means Arrowhead Enterprises, its successors and assigns, the franchisee under this ordinance.

(4). "Person" means any person, company or entity of any kind.

(5). "Franchise area" means that area within the corporate limits of the City as now or hereafter constituted.

(6). "Street" means the surface of and the space above and below any public street, way, place, right-of-way, road, highway, freeway, bridge, tunnel, lane, path, bike-path, alley, court, sidewalk, parkway, drive, communications or utility easement, by whatever name called, or hereafter existing as such within the permit area.

(7) "Property of Grantee" means all property owned, installed or used by the Grantee in the conduct of a CATV business in the City.

(8) "CATV" means a cable television system.

(9) "Cable Television System" means a system composed of, without limitation, antenna, cables, wires, lines, towers, wave guides, or any other conductors, converters, equipment or facilities, designed, constructed or wired for the purpose of producing, receiving amplifying and distributing by coaxial cable, radio, television or other electronic or electrical signals to and from persons, subscriber and locations in the permit area.

(10) "Basic CATV Service" means the distribution of broadcast television signals by the Grantee.

(11) "Subscriber" means any person or entity receiving and paying for basic CATV service.

(12) "Gross Annual Basic Subscriber Revenues" means any and all remuneration received directly by the Grantee from subscribers in payment for furnished CATV services, but shall not include any taxes on services furnished by the Grantee imposed on any subscriber or user or by any city, state, or other governmental unit, political sub-division, and collected by the Grantee. Installation charges shall not be considered Gross Annual Basic Subscriber Revenues.

B. GRANT OF AUTHORITY. There is hereby granted by the City to the Grantee the right and privilege to engage in the business of operating and providing a CATV system in the City, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any public street now laid out or dedicated and all extensions thereof and additions thereto in the franchise area, such poles, wires, cable, conductors, ducts, conduit, vaults, manholes, pedestals, amplifiers, appliances, attachments, and other property as may be necessary and appurtenant to the CATV system; and in addition so to use, operate, and provide similar facilities or properties rented or leased from other persons, including but not limited to any public utility or other grantee franchised or permitted to do business in the City.

C. NON-EXCLUSIVE GRANT. The right to use and occupy said street for the purposes herein set forth, shall not be exclusive in the Grantee, and the City reserves the right to grant a similar use in said streets to any other person.

D. TERM OF FRANCHISE. The franchise and rights herein granted shall commence thirty (30) days from the final passage hereof and shall continue in force and effect to fifteen (15) years after said effective date. Upon application by the Grantee to the City, the permit may be renewed for subsequent fifteen (15) year periods, following a full public proceeding affording due process providing Grantee has faithfully performed all conditions of said franchise, and providing such renewal would be in the public interest.

E. CONDITIONS OF STREET OCCUPANCY.

(1) All transmission and distribution structures, poles, lines and equipment installed or erected by the Grantee within the permit area shall be so located as to cause minimum interference with the proper use of streets and other public ways and with the rights and reasonable convenience of property owners to adjoin any of said streets and other public ways. The CATV system shall be constructed and operated in compliance with all applicable City, State and National Construction and Electrical Codes. The Grantee shall install and maintain its wires, cables, fixtures, and other equipment in such manner that they will not interfere with any installations of the City or any public utility.

(2) In case of disturbance of any street or paved area, the Grantee shall, at its own expense and in a manner approved by the City, replace and restore such street or paved area in as good condition as before the work involving said disturbance was done.

(3) If at any time during the period of the franchise the City shall lawfully elect to alter or change the grade of any street, sidewalk, alley or other public way, the Grantee, upon reasonable notice by the City, shall remove, relay, and relocate its poles, wires, cables, underground conduits, manholes, and other fixtures at its own expense.

(4) Any poles or other fixtures placed in any public way by the Grantee shall be placed in such manner as not to interfere with the usual travel on such public way.

(5) The Grantor shall, at its expense, protect, support, temporarily disconnect, relocate in the same street or other public place, or remove from the street or other public place, any property of the Grantee when required by the City by reason of traffic conditions, public safety, street vacation, freeway and street construction, change or establishment of street grade, installation of sewers, drains, water pipes, or any other type of structures or improvements by the City; provided, however, that the Grantee shall in all such cases have the rights and obligations of abandonment of property of the Grantee, subject to City Ordinances.

(6) The Grantee shall, on the request of any person holding a building permit issued by the City, temporarily raise or lower its wires to permit the moving of buildings, provided: 1) the expense of such temporary raising or lowering of wires is paid by said person, including, if required by the Grantee, making such payment in advance; and 2) the Grantee is given not less than three business days advance notice to arrange for such temporary wire changes.

(7) The Grantee shall have the authority to trim trees overhanging any streets in the franchise area so as to prevent branches from coming in contact with the Grantee's wires and cables, except that at the option of the City, such trimming may be done by it or under its supervision and direction at the Grantee's expense.

(8) Subject to any applicable state or federal regulations or tariffs, the City shall have the right to make additional use, for any public purpose, of any poles or conduits controlled or maintained exclusively by or for the Grantee in any street, provided: 1) such use by the City does not interfere with the use by the Grantee; and (2) the City holds the Grantee harmless against and from all claims, demands, causes of actions, suits, actions, proceedings, damages, costs or liabilities of every kind and nature whatsoever arising out of such use by said City of said poles or conduits.

F. SAFETY REQUIREMENTS.

(1) The Grantee shall at all times employ ordinary care and shall install and maintain in use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries or nuisances to the public.

(2) All structures and all lines, equipment and connections in, over, under and upon all streets or public ways of the franchise area shall be kept and maintained in a safe and suitable condition and in good order and repair.

G. SYSTEM CONSTRUCTION AND EXTENSION.

(1) The Grantee is hereby authorized to extend the system within the franchise area.

(2) Grantee, whenever it shall receive requests for service from at least ten (10) subscribers within 1320 cable feet of its aerial cable, or at least fifteen (15) subscribers within 1320 cable feet of its underground cable, shall extend its system to such subscribers at no cost to the subscribers for system extension other than the usual connection and service fees for all subscribers. In areas having a subscriber

density less than herein specified, the householders therein may demand and receive service upon payment to Grantee of the costs of extending service to that area and should such area later contain at least ten (10) subscribers, then Grantee shall refund the cost of said extension to such householder. The 1320 feet shall be measured in extension length of Grantee's cable required for service located within the public way or easement and shall not include length of necessary service drop to the subscriber's home or premises.

(3) No person, firm or corporation in the Grantee's service area shall be arbitrarily refused service. However, in recognition of the capital costs involved, for unusual circumstances, such as requirement for underground cable to connection of service to subscribers, or a subscriber density less than the density specified herein, in order to prevent inequitable burdens on potential cable subscribers in more densely populated areas, service may be made available on the basis of cost of materials, labor and easements.

(4) In the event additional adjacent territory is incorporated within the City's limits, by annexation or otherwise, Grantee's rights and duties under this Ordinance shall be deemed to include such additional territory.

(5) For all residential structures hereinafter erected which are to be served by underground utilities only, the developer of the subdivision or development must acquire CATV service for this development under the following conditions:

Developer shall perform all trenching and backfilling necessary for the provision of cable television service, including furnishing of any imported backfill material required, and will furnish and install for the Grantee any necessary distribution conduit and substructures, including pedestals, required in accordance with the Grantee's plans and specifications. Developer may enter into a written agreement with the Grantee whereby such costs will be reimbursed to the developer by Grantee at the rate of fifty percent (50%) of basic subscriber revenues generated from CATV service supplied within the development over a period not to exceed three (3) years.

(6) In addition to providing plans and specifications to the developer, the Grantee shall inspect the facilities required hereunder, and certify to the City prior to final approval of the subdivision or development that the facilities required herein are properly installed. The City shall have the right to review and require its approval of the maps and specifications provided by the Grantee. The cost of that portion of an extension to a subdivision or development from the Grantee's existing facilities in excess of 60 meters, (200 feet) outside the boundaries of the subdivision or development shall be borne by the developer. Facilities installed hereunder shall be owned, operated, and maintained by Grantee.

H. OPERATIONAL STANDARDS. The Grantee shall not be responsible for any interruptions of signals or service arising from any Act of God, strikes, riots, acts of a common enemy, or for any other reason beyond the control of the Grantee. The Grantee shall deliver signals to the terminals of the subscriber's set as specified by FCC Rules and Regulations.

I. LOCAL OFFICE AND COMPLAINTS. The Grantee shall maintain a local business office or agent which subscribers may telephone during regular business hours without incurring added message or toll charges, so that complaints regarding cable television operations be promptly reported to the Grantee. Should a subscriber have an unresolved complaint regarding cable television operation, the subscriber shall be entitled to file his complaint with the City Manager, who has primary responsibility for the continuing administration of the franchise and the procedures for resolving complaints, and thereafter to meet jointly with a representative of the Grantee and a representative of the City Council within thirty (30) days to fully discuss and resolve such matters. The Grantee shall notify each subscriber, at the time of initial subscription to the service of the Grantee, of the procedures for reporting and resolving such complaints.

J. PREFERENTIAL OR DISCRIMINATORY PRACTICES PROHIBITED. The Grantee shall not as to rates, charges, service facilities, rules, regulations or in any other respect make or grant any preference or advantage to any person nor subject any person to any prejudice or disadvantage, provided that nothing in this permit shall be deemed to prohibit the establishment of a graduated scale of charges and classified rate schedules to which any customer coming within such classification would be entitled, and provided further that connection and service charges may be waived or modified during promotional campaigns of Grantee.

K. RATES. The Grantee shall maintain on file with the City Clerk a schedule setting forth all rates and charges to be made to subscribers for CATV service, including connection and service charges. Notice of changes in rates and charges shall be filed with the City Clerk at least ninety (90) days in advance of the effective date thereof.

L. FRANCHISE PAYMENTS. The Grantee shall pay the City, on or before each March 31st, a permit fee of three percent (3%) of gross annual basic subscriber revenues received for cable television operations in the City for the preceding calendar year. Sales tax or other taxes or fees levied on a per subscription basis and collected by the Grantee shall be deducted from the gross annual basis subscriber revenues in computing any sums due to the City. The Grantee shall provide an annual summary report showing gross annual basic subscriber revenues received during the preceding year. The City shall have access to the Grantee's records, upon written request, to verify the amount due the City as reported by the Grantee.

M. INDEMNIFICATION OF CITY

(1) The Grantee shall at all times protect and hold the City harmless from all claims, actions, suits, liability, loss, expense or damages or every kind and description, including investigation costs, court cost, and attorney's fees, which may accrue to or be suffered or claimed by any person or persons arising out of the negligence of the Grantee in the ownership, construction, repair, replacement, maintenance and operation of said cable television system and by reason of any license, copyright, property right or patent of any article or system used in the construction or use of said system. The City shall give the Grantee prompt notice of any such claims, actions, and suits, without limitation, in writing.

(2) The City shall not and does not by reason of this ordinance or granting of this franchise assume any liability of the Grantee whatsoever for injury to persons or damage to property. The Grantee shall maintain in full force and effect during the life of any franchise, public liability and property damage insurance in a solvent insurance company authorized to do business in the State of Utah, at no less than the following amounts:

- a. \$50,000 property damage in any one accident
- b. \$100,000 for personal injury to any one person
- c. \$300,000 for personal injury in any one accident

All such insurance may contain reasonable deductible provisions not to exceed one thousand dollars (\$1,000) for any type of coverage. The City may require that any and all investigation of claims made by any person against the City arising out of any use or misuse of privileges granted to the Grantee hereunder shall be made by, or at the expense of the Grantee or its insurer.

(3) The Grantee may bring its obligations to carry any insurance required hereby within the coverage of any so-called blanket policy or policies of insurance now or hereafter carried, by appropriate amendment, endorsement or otherwise, provided, however, the interest of the City shall be as fully protected thereby as if the Grantee had obtained individual policies of insurance.

N. PROCEDURES.

(1) Any inquiry, proceeding, investigation or other action to be taken or proposed to be taken by the City in regard to the operations of the Grantee's cable television system, shall be taken only after thirty (30) days written notice to the Grantee of such action or proposed action, and the Grantee has been given an opportunity to respond in writing and at any hearing which may be specified by the City.

(2) The notice required by this section shall state clearly the action or proposed action to be taken, the time provided for response and the person or persons in authority to whom such responses should be addressed, and such other procedures as may be specified by the City. If a hearing is to be held, the notice shall give the date and the time of such hearing, whether public participation will be allowed and the procedures by which such participation may be obtained. The Grantee shall be a necessary party to any hearing conducted in regard to its operation.

O. REVOCABILITY OF FRANCHISE.

(1) In case of the failure of the Grantee to perform and carry out any of the stipulations and agreements herein set forth in any substantial particular, and with respect to which redress is not otherwise herein provided the City, acting by and through its Mayor and Council, may, after hearing, determine such substantial failure and, thereupon, after notice given the Grantee of such determination, the Grantee shall have three (3) months time in which to remedy the conditions. After the expiration of such three (3) month period and failure to correct such conditions, the Mayor and the Council may declare the franchise forfeited and, thereupon, the Grantee shall have no further right or authority hereunder.

(2) The Grantee, upon notification by the City of franchise terminations, shall be given notice also of the time limit in which it shall, at its own expense, remove any poles, wires, cables, and related appurtenances that shall have been erected and shall leave the streets, alleys, and public ways and places in as good condition as they were prior to said installation. In the event of such franchise termination, the Grantee shall be given no less time than 90 days and an option of continuance for another 90 days, upon request, to provide adequate time for salvage, sale or other means of disposal of assets.

P. PROCEDURE UPON TERMINATION. Upon expiration of the permit, if the Grantee shall not have acquired an extension or renewal thereof and accepted the same, it may have and it is hereby granted, the right to enter upon the streets or other property of the City, for the purpose of removing therefrom any or all of its property or otherwise. In so removing said property, the Grantee shall refill, at its expense, any excavation that it shall make and shall leave said streets in as good condition as that prevailing prior to the Grantee's removal of its property.

Q. APPROVAL OF TRANSFER. The Grantee shall not sell or transfer its plant or system to another, other than a parent company or a wholly-owned subsidiary of the Grantee, nor transfer any rights under this franchise to another without Council approval. No sale or transfer of the Grantee's assets used in the performance of this franchise shall be effective until the vendee, assignee or lessee has filed in the office of the City Clerk an instrument duly executed reciting the fact of such sale, assignment or lease, accepting the terms of the franchise and agreeing to perform all the conditions thereof. Such Council approval shall not be unreasonably withheld provided the assignee shall have the performance and financial capability at least equal to the Grantee and neither this Section nor other Sections of this franchise shall preclude the mortgaging, hypothecating, or assigning of rights in the system or the pledge of stock by the Grantee for the purpose of financing.

R. MISCELLANEOUS PROVISIONS.

(1) When not otherwise prescribed herein, all matters herein required to be filed with the City shall be filed with the City Clerk or City Manager.

(2) The Grantee shall assume the cost of publication of this franchise ordinance. A bill for publication costs shall be presented to the Grantee by the City Clerk.

(3) The Grantee shall provide without charge one outlet of basic CATV service to each City governmental office building, fire station, police station, library, and public and non-profit private school building that is passed by its cable. The distribution of the cable facility inside such buildings and the extent thereof shall be at the option, duty and expense of the building owner.

(4) In the case of any emergency or disaster, the Grantee shall, upon request of the City, make available its facilities to the City for emergency use during the emergency or disaster period.

(5) A public access channel shall be made available to the citizenry of Blanding by the Grantee. Grantee will provide modulator and available channel only.

S. CONVERSION OF FACILITIES FROM OVERHEAD TO UNDERGROUND.

(1) Should the inhabitants or owners of any area within the corporate limits of the City desire the Grantee to convert its existing overhead CATV facilities (located upon the streets, alleys and other public right-of-ways) to underground service, such conversion shall be undertaken in accordance with the procedure set forth in Title 54 Chapter 8 of the Utah Code Annotated, 1953, as amended, otherwise known as the Utah Underground Conversion of Utilities Law, except where the CATV Company itself elects to undertake such conversion without reimbursement of conversion costs.

(2) The Grantee upon notification by any utility company, property owners, or the City that certain conversions from overhead to underground are being considered, imminent, or scheduled shall make written application to the City within 30 days of notification for the purpose of requesting coverage under this section.

(3) In the event that existing overhead routes and easements for CATV facilities in any public right-of-way be terminated or removed by the power company, telephone company, or any other utility company because of the utility company's conversion of facilities from overhead to underground, or for any other reason, the Grantee shall have the right to purchase, construct and utilize its own pole-line facilities. The grantee's construction and utilization of its own pole-line for the purpose of this section shall not be commenced without approval of the City and then only to ensure continuity of services to the affected area. Subject pole-lines constructed and/or owned by the Grantee shall be considered temporary installations pending approval of previously applied for funding in accordance with paragraphs (1) and (2) of this section. In the event that the funding proposal is rejected, the Grantee's subject pole-line facilities will be deemed to be permanent as long as these facilities comply with all applicable sections of this ordinance.

T. SUBSCRIBER PREFERENCE FOR UNDERGROUND FACILITIES. Should an existing subscriber request CATV service be provided by the Grantee via underground facilities to a building, a structure or project in an area where overhead facilities already exist, the Grantee shall be authorized to assess and collect a one-time fee equal to the amount of costs for trenching, underground cable and equipment, labor, easements, and any other associated costs of subject underground construction. Assessment and/or payment of above mentioned fees for underground conversion does not preclude payment of regular monthly service charges.

U. COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES. The Grantee shall at all times during the life of this franchise be subject to all lawful exercise of the police power by the City. The City reserves the right to adopt from time to time, in addition to the provisions herein contained, such ordinances as may be necessary to the exercise of police power. Such regulation shall be reasonable and not in derogation of the rights herein granted, not in conflict with the laws of the State or other local or Federal laws or regulations.

V. VIOLATIONS, PENALTIES.

(1) From and after the effective date of this ordinance, it shall be unlawful for any person to construct, install or maintain within any public street in the City, or within any other public property of the City, or within any privately-owned area within the City which has not yet become a public street but is designated or delineated as a proposed public street on any tentative subdivision map approved by the City, any equipment or facilities for distributing any television signals or radio signals through a CATV system, unless a franchise authorizing such use of such street or property or area has first been obtained, and unless such franchise is in full force and effect.

(2) It shall be unlawful for any person to make any unauthorized connection, whether physically, electrically, acoustically, inductively, or otherwise, with any part of the permitted CATV system within this City for the purpose of enabling anyone to receive any television signal, radio signal, picture, sound or other transmission, without payment to the Grantee.

(3) It shall be unlawful for any person, without the consent of the Grantee, willfully to tamper with, remove or injure any cables, wires or equipment used for distribution of television signals, radio signals, pictures, sound or other transmission.

(4) Any person violating or failing to comply with any of the provisions of this Section shall be guilty of a misdemeanor and for each day of violation or failure to comply may be punished by a fine not to exceed One Hundred Dollars (\$100.00) imprisonment for a term of not to exceed thirty (30) days, or both.

W. LINE SEVERING. If at any time the Grantee's cable and/or other equipment is disturbed, damaged, or severed, the cost of repair shall be paid by the party responsible for said damage. The Grantee may charge the responsible party for the time and materials expended for repair of said damage. The City will cooperate with the Grantee to assist in enforcing any charge or penalty arising from cable severing or other damage to Grantee's property.

X. NON-GRANTEE INSTALLATION AND CONSTRUCTION. In the event that any person, firm or corporation should desire to have a building, structure, or other project designed, wired, equipped and/or constructed by a person, firm or corporation other than the Grantee, for the purpose of having such building, structure or project under subscription to the cable television system owned by the Grantee, any plans, designs, and completed projects relating to the distribution of TV signals shall be subject to inspection and approval by the Grantee before cable television service may commence. The Grantee may refuse to provide CATV service to any building, structure or project if the design, construction, cable or equipment is incapable of enabling the facilities to meet required technical standards in accordance with FCC Regulations. Whenever facilities for connection to the cable system have been provided and satisfactorily completed in any building, structure and/or project by any person, firm or corporation, other than the Grantee, hookup or installation fee shall be assessed by the Grantee except a charge for installation of a primary drop cable, associated equipment and labor to activate CATV service into the facility. Nothing in this section shall be deemed to preclude payment of monthly service charges.

Y. SIGNAL QUALITY REQUIREMENTS - TECHNICAL STANDARDS.

(1) Grantee agrees to furnish a minimum of 11 channels and one (1) pay television channel for public viewing.

(2) The Grantee will render efficient service, make repairs promptly, and interrupt service only for good cause, and the shortest time possible. Such interruptions, insofar as possible, shall be preceded by notice and shall occur during periods of minimum use of the system.

(3) The Grantee shall conduct performance tests in accordance with the requirements of Section 76.601 or any successor section of FCC rules, as these requirements may apply from time to time.

(4) The Grantee further agrees to use reasonable efforts, based upon reasonable need, the state of the art, and the economics and practicability involved to improve and upgrade its system (including without limitation, the increasing of channel capacity, the furnishing of improved converters that may be required and the institution of two way transmission) within the reasonable and financial limitation of the Grantee. The terms "reasonable need", "the state of the art" and "the economics and practicability" shall be interpreted to conform, so much as is reasonable practical and possible, to the interpretation accorded to these terms by the FCC as its rules may apply or be extended from time to time to these terms.

Z. GENERAL

(1) Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage.

(2) Service. Upon the effective date of this ordinance/franchise, Grantee will commence with all the work necessary to bring Cable TV service to the City of Blanding; with July 1, 1981 being the date first service must be installed and operable, and within eighteen (18) months from the effective date and of this ordinance total Cable TV service must be installed to all areas of the franchise area.

(3) Federally Required Modifications. Any modification resulting from amendment of Section 76 of the Rules and Regulations of the Federal Communications Commission shall be incorporated into this franchise as of the date such modifications become obligatory under FCC Regulations, or in the event of no obligatory date being established, within one year of adoption or at the time of permit renewal, whichever occurs first.

(4) Severability. If any part of this ordinance is for any reason held invalid by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions. The invalidity of any portion of this ordinance shall not abate, reduce or otherwise affect any consideration or other obligation required of the Grantee. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III. This ordinance shall take effect and be in force thirty (30) days from and after its passage.

PASSED by the City Council of the City of Blanding, Utah this 13th day of August, 1980

CITY OF BLANDING

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

Motion for adoption of the foregoing ordinance was made by Councilman Lyman and seconded by Councilman Bradford, voting on the motion being as follows:

Those voting "aye": Councilmember Bradford
Councilmember Hunt
Councilmember Lyman
Councilmember McDaniel

Those voting "nay": None

Those absent: Councilmember Black
constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried and Ordinance No. 1980-4 duly adopted and approved.

4. Mayor Gibbons discussed with the Council, the proposal of the San Juan County Commission to enter into an operating agreement with one of three possible firms for operation of health facilities owned by San Juan County, as well as the apparent intent of the Commission to appoint a County Health Care Board not representative of the population to be served.

Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that the City advise the Board of Commissioners of San

Juan County by letter, that the appointment of a County Health Care Board can only be equitably serviceable if appointments are made on the basis of population.

5. The Council discussed the necessity for additional City Administrative staff and possibly appointing an assistant City Administrator. The Recorder and Engineer were assigned to prepare a job description for such an office.

6. Mayor Gibbons advised the Council that the Utah Municipal League Convention will be held in Salt Lake City on September 4, 5, 6, 1980.

7. Councilman Bradford reported that Mr. Don Ellis Smith, Chairman of the Water Resources Task Committee, had to leave the City on business matters and was therefore unable to report Committee activities at this meeting; that he would make his report at a later date.

8. Councilman Bradford advised that the San Juan County Road Department is proposing to surface the road from Blanding North across the mountain to Monticello and in so doing will need a source of gravel for making rock chips. They have proposed to utilize the gravel at the head of the Johnson Creek pipeline which would be beneficial to the City in that the desired excavation of material from the area would lessen the cost of recommended construction at the pipeline water inlet.

9. Following discussion of the apparent county decision not to create a hospital facility by remodeling the San Juan Nursing Home, the Council concluded that the proposed park for that area should be completed. Councilwoman McDaniel will convey this information to the Blanding Lions Club so that they may proceed with their plans for such park.

10. The Council discussed with the Engineer and Mrs. Judy Mainord of the Community School Sidewalk Committee, the road width for 1st West Street and a proposed variance from the Master Street Plan to permit a wider road from 2nd North Street to 5th South Street.

Motion was made by Councilman Bradford, seconded by Councilwoman McDaniel and unanimously carried that a variance from the Master Street Plan be granted for the purpose of permitting use of the Major Street design on 100 West Street from 200 North Street to 500 South Street, 200 West Street Center to 500 South.

11. Mrs. Judy Mainord discussed with the Council the inability of some residents to fund their one-third portion of costs for curb, gutter and sidewalk improvements proposed for their area. The Council agreed that certain agencies may possibly be involved in behalf of these residents for funding their respective shares and requested that the Community School Sidewalk Committee investigate such possibilities.

12. Councilman Hunt advised the Council of complaints received relative to conditions existing in vacant buildings on block 19 resultant from unauthorized misuse of the same. He proposed that the City Health Board investigate the matter and proper action be taken to correct the problem.

13. Councilman Hunt expressed concern over the proposed, prior authorized expenditure of funds for drilling a deep, large diameter water well, stating that City water well experience to date has been very negative and that perhaps the funds could be better expended on other water system development.

14. Councilman Lyman advised that the San Juan County Board of Commissioners has indicated a favorable reaction towards the formation of Fire Districts within the County and that the County Attorney is researching the procedure requirements for forming such districts.

Motion was made by City Councilman Bradford, seconded by Councilman Lyman and unanimously carried that the City cooperate fully in the formation of a Fire District in the Blanding area, for the purpose of creating a more comprehensive fire protection service for area residents.

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15. The Recorder reported that the San Juan County Board of Commissioners has approved a proposal by the City for the construction of an administration building at the Blanding Airport on a 50-50 cost sharing basis with San Juan County front-ending the costs and Blanding City repaying its portion over a period of 3 to 5 years from revenues derived by effecting certain service charges at the airport and levying 1 mill property tax for airport purposes.

16. The Recorder advised the Council that the Department of Employment Security has CETA funds available for a program in which the City could hire Mr. Drake Jones at a salary of \$700.00 per month plus benefits, for a period of six months, providing the City would then accept Mr. Jones as a full-time employee. The Council agreed that if the Department would fund an additional six months program at one-half salary and benefits, that it would accept the proposal.

17. The Engineer advised the Council that Mr. Eugene Shumway has a water filing on a spring in Dusett Draw north of Reservoir No. 3; that Mr. Shumway will allow the water from said spring to flow into the reservoir in exchange for one-half of whatever the measured flow may be, to be taken out of the City pipeline at a point to be selected by him. The Council declined to take action on this matter.

Meeting adjourned at 11:20 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
AUGUST 27, 1980 AT 8:00 O'CLOCK
P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer

Absent was Councilman Francis M. Lyman

Also Present were: Mr. Jim Paraskeva, Southeast Utah Association of Governments;
Mr. Sterling Davis, District Engineer, Utah Department of
Transportation; Mrs. Marsha Keele; Mr. Dwight Laws

1. Prayer was offered by Mayor Gibbons.
2. Minutes of City Council meeting held August 13, 1980 were approved.
3. Mr. Jim Paraskeva, Planner, Southeast Utah Association of Governments, presented to the Council a Growth Management and Investment Strategy Plan proposal preparatory to development of a Master Plan. He will meet with the Council periodically to complete development of the plan.
4. Mr. Sterling Davis, P. E., District Engineer, Utah Department of Transportation discussed with the Council various matters relative to U. S. Highway 163 and the Pedestrian Safety Program, inclusive of the highway alignment necessary to the Recapture Dam project proposal, Highway marking through the City, department policy relative to curb and gutter installation, bituminous surfacing of highways adjacent to curb installation and a general area progress report. He advised the Council that he is available to attend City Council meetings at their invitation.
5. Mayor Gibbons discussed with the Council, complaints from Senior Citizens relative to lack of dog control within the City, and the status of the Camp Jackson Reservoir improvements requested by the Utah State Engineers Office.
Mr. Dwight Laws reported that the dog pound building is complete; that welding for the interior pens must be done prior to placing the pound in use.
The Engineers office has now indicated soil testing of the Camp Jackson Reservoir dam may be done by excavating material from the dam with a backhoe or by hand shoveling, rather than the previously required boring or drilling method.
6. The Engineer reported that the pre-application to Farmers Home Administration for 601 funds has been reviewed and accepted by them and the final application is nearing completion; that arrangements for a formal appraisal of the property are currently being negotiated.
7. Councilman Black reported that the area at the top of the City Dump has been cleaned up by Jerry Holliday Construction. Councilman Black agreed to follow-up on the matter of obtaining possible San Juan County participation in waste collection disposal facilities development and operation.
8. Councilman Black discussed with the Council, the possibility of obtaining an undetermined amount of water from Mr. Eugene Shumway originating in Dusett Draw and currently flowing into Blanding City Reservoir No. 3.
Motion was made by Councilman Black that the City accept the offer of Mr. Eugene Shumway for exchange of the total amount of water owned by Mr. Shumway in Dusett Draw for one-half the amount of such water, to be taken from the Blanding City Johnson Creek pipeline at a point suitable to Mr. Shumway.
The motion received no second.
Motion was made by Councilman Bradford, seconded by Councilman Hunt and unanimously carried that the City offer Mr. Eugene Shumway a 3/4 inch water connection on the Blanding City Johnson Creek pipeline at a point suitable to Mr. Shumway, sans connection fee, water from the same to be metered and charged for at regular in-city rates, in exchange for all water rights currently held by Mr. Shumway in Dusett Draw.

9. Councilman Black advised that he had received complaints of City Employees using City Equipment for personal use.
10. The Council discussed the possibility of San Juan County excavating road gravel from the area at the Johnson Creek pipeline in-let. The Engineer and Councilman Black will follow up on this matter.
11. Mayor Gibbons advised that he had officially appointed Mrs. Ruth Nielson to the City Planning Commission and that she consented to serve.
12. Motion for adoption of the following resolution was made by Councilman Hunt, seconded by Councilman Black and unanimously carried.

RESOLUTION NO. 1980-15

A RESOLUTION CREATING THE OFFICE OF ASSISTANT
CITY ADMINISTRATOR

BE IT RESOLVED by the City Council of the City of Blanding that there be created the office of Assistant City Administrator as follows:

1. Function under the direction of the Mayor, City Council and City Administrator.
2. Currently a part-time position. (Approximately 20 hours per week)
3. Education Requirement: High school graduate; municipal or business management education and computer operation desirable; knowledge of construction trades required.
4. Salary: \$7,200 - \$10,500 annually, negotiable based on education and experience.
5. Duties - Specific:
 - A. Organize and manage equipment pool. (Motor Pool)
 - B. Administer building and construction permit and inspection program - assist Building Official in Planning and Zoning matters.
 - C. Supervise Parks and Recreation department.
 - D. Supervise the obtaining of all rights-of-way easements for utilities extensions.
 - E. Function as the Deputy City Recorder.
 - F. Advise and Counsel in computer operations.
 - G. Attend staff meetings; attend City Council meetings as required.
6. Duties - General:
 - A. Assist in office management and employee supervision as requested.
 - B. Learn the complete City operation inclusive of the Uniform System of Accounts required by the State of Utah.
 - C. Assist in the preparation of reports, documents and applications necessary to City operations.
 - D. Assist the City Administrator and City Engineer in all phases of City operation within the scope of his ability.
7. This shall be an appointive position subject to reappointment on the 1st Monday of February in each even numbered calendar years.
8. Appointments to this position shall be made by the Mayor with the advise and consent of the City Council.

PASSED, ADOPTED and APPROVED this 27th day of August, 1980.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

13. Motion was made by Councilman Black and seconded by Councilman Hunt that Mr. Richard Dwight Laws be appointed to the office of Assistant City Administrator, for the period from September 1, 1980 to and including the 1st Monday in February, 1982. Voting on the motion was as follows:

Those voting "aye": Councilman Black
Councilman Hunt
Councilwoman McDaniel


Those voting "nay". None

Those Abstaining: Councilman Bradford

Those Absent: Councilman Lyman
constituting all the members thereof.

Whereupon the Mayor, DeLamar Gibbons, declared the motion carried.

Meeting adjourned at 11:00 P.M.


Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF
THE BLANDING CITY COUNCIL HELD
SEPTEMBER 24, 1980 AT 8:00 P.M.
IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmen: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant City Administrator: R. Dwight Laws

Absent was City Councilwoman LaRue McDaniel

Also present: Mrs. Marsha Keele; Mr. Don Ellis Smith, Chairman, City Water Task Committee.

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held August 27, 1980 were approved.
3. Motion for adoption of the following resolution was made by Councilman Lyman, seconded by Councilman Black and unanimously carried:

RESOLUTION NO. 1980-16

BE IT RESOLVED by the City Council of the City of Blanding, Utah that the Grant Offer of the United States Department of Transportation, Federal Aviation Administration, dated September 18, 1980, in the amount of \$85,000.00 be, and the same is hereby, accepted by the City of Blanding; that the Mayor be authorized to execute the Grant Agreement known as Contract No. DTFA 13-80-C-00513, Project No. 5-49-0002-02; that a copy of said agreement be made a part hereof by reference.

PASSED, ADOPTED and APPROVED this 24th day of September, 1980.

S/ DeLamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

4. Mayor Gibbons discussed with the Council the Bureau of Land Management news release and recent public hearing relative to study of the Cyclone and Texas Flat areas west of Blanding for possible development as a radioactive waste repository. The Council agreed that a letter should be written to the Bureau of Land Management, with copies to the Governor of Utah, Utah Congressional representatives and the U. S. Atomic Energy Commission stating the official position of Blanding City as favoring the area study and utilization for such a development.

Mayor Gibbons also discussed with the Council the necessity for support of the Recapture Dam project; that letters indicating such support should be mailed to the various agencies concerned with the project.

5. Councilman Bradford recommended that the City Task Committees be reassigned on the basis of their relationship to City Council Assignments and the appropriate City governing or regulating ordinance to permit City Councilmembers to function on the various committees consistent with their respective assignments. The Council authorized further study and organization under this concept.

Councilman Bradford suggested, and the Council concurred that the completion of the Growth Management Plan and Investment Strategy Objective Setting questionnaires requested by Mr. Jim Paraskeva, Southeastern Utah Association of Governments, be postponed pending the reassignment and reorganization above stated.

6. Councilman Bradford proposed that consistent with the offer of Mr. Sterling Davis, District Engineer, Utah Department of Transportation, the Planning Commission and/or City Council request his presence at a meeting to discuss the possibility of designating the Route to the State Edge of the Cedars Museum as State Highway.

7. Mr. Don Ellis Smith, Chairman, City Water Task Committee, related for the Council, discussions had by agencies and sponsors of the proposed Recapture Dam project at a meeting held September 23, 1980. The following items need to be resolved prior to further proceeding with the project:

1. Interests in unpatented mining claims covering the area.
2. Antiquities Act (Archaeological Site) identification and studies must be completed-estimated cost \$300,000.00
3. Utah State Department of Transportation must allocate funds for road realignment.

Mr. Smith stated that the San Juan County Water Conservancy District and Utah Water and Power Board officials are still anticipating construction start in the spring of 1981.

Mr. Smith discussed other water system matters with the Council, inclusive of the proposed Eugene Shumway water exchange, possible water filings and obtaining of other appropriated water rights.

Councilman Black expressed to Mr. Smith and members of the City Water Task Committee, the appreciation of the City for their services.

8. Following further discussion by the Council of the possibility of an exchange of water resources between Mr. Eugene Shumway and the City, motion was made by Councilman Lyman that the City exchange with Mr. Eugene Shumway an amount of water equal to one-half the production of the Dusett Draw spring, for exclusive right to all water produced in said spring, subject to the following conditions:

1. Shumway may take the water exchanged to him at a point on the Blanding City Johnson Creek pipeline satisfactory to Shumway, said connecting point not to be later changed.
2. The City shall receive a right-of-way, ingress and egress, to said spring, inclusive of the right to develop and enclose the same, to pipe water from it into the City system over such land owned by Shumway as required and to maintain said spring and pipeline as required to assure maximum water production.
3. Measuring devices shall be furnished by the respective owners following the exchange of resources.
4. Prior to an exchange the Dusett Draw spring and proposed diversion works shall be approved as a proper municipal culinary water resource by the Utah State Division of Health.
5. The exchange agreement shall be prepared by the City Attorney.

The motion was seconded by Councilman Black, voting on the motion being as follows:

Those voting "aye":	Councilman Black
	Councilman Hunt
	Councilman Lyman

Those voting "nay":	Councilman Bradford
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(Councilman Bradford requested that the minutes reflect that he is not opposed to an exchange but considers further negotiations would result in obtaining a more advantageous position for the City.)

Those abstaining:	None
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Those absent:	Councilwoman McDaniel
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WHEREUPON Mayor Gibbons declared the motion carried.

9. Councilman Hunt advised that the Blanding Utah Stake and members of Bishoprics of the various Wards of the same, have expressed concern over the possibility of the City permitting installation of a Home Box Office channel in connection with the Franchise granted to Arrowhead Enterprises, which would allow the showing of R & X-rated movies. The Council advised that it was never intended that such should be permitted and that an alternate channel will be utilized in the stead of the Home Box Office.

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10. Councilman Lyman reported that the San Juan County Attorney has determined that incorporated municipalities may not participate in Fire Districts with unincorporated areas; that districts may logically be formed of unincorporated areas and the City and District may, through an interlocal cooperative agreement, carry out substantially the same program. Councilman Lyman will continue to follow-up on this matter.

11. The Council discussed with the Assistant City Administrator, possible revisions of the City Ordinance relative to dog control, inclusive of licensing and pound fees. It was agreed that the ordinance should be revised to permit the City Council to set fees by resolution.

Meeting adjourned at 10:50 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD OCTOBER
8, 1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant City Adm. Dwight Laws

Absent were City Councilmen: Bruce N. Black
Jon L. Hunt

Also present: Mr. Stan Howell, representing the Blanding Chamber of Commerce.

1. Prayer was offered by the Engineer.
2. Minutes of City Council meeting held September 24, 1980 were approved.
3. The following memorandum from the City Planning Commission was considered by the Council:

MEMORANDUM

From: Blanding City Planning Commission

To: The Honorable Mayor and Members of the City Council

The following recommendation relative to City Task Committees is respectfully submitted for your consideration:

1. All current Task Committees should be dissolved and brought back into service in five categories corresponding to City Council assignments.
2. A Council Member and a Planning Commissioner shall serve on each Task Committee with other selected citizens who have interest and will serve.
3. The Blanding Chamber of Commerce shall be assigned City Promotion as a part of one Task Committee.
4. All committees are to be charged with the responsibility for preparation of a master plan proposal for their area of assignment with realistic goals and priorities.
5. The various plans prepared by the committees will be consolidated into a comprehensive City Master Plan inclusive of a prioritized listing of goals.
6. Targeted Master Plan completion date is March 1, 1981.

An organization chart representative of the foregoing Task Committee assignment concept is attached.

		' <u>Mayor Gibbons</u> (100 - 800) ' <u>Administrator</u> ' Assistant Administrator ' Engineer ' Staff - Dept. Heads '		
Jon Hunt	LaRue McDaniel	Cleal Bradford	Francis Lyman	Bruce Black
(9-000)	(11-000)			
10-000)		(12-000)	(13-000)	(14-000)
HEALTH	STREETS-PARKS RECREATION AIRPORT	PLANNING & ZONING	PUBLIC SAFETY, POLICE, FIRE	UTILITIES, GARBAGE, WATER, SEWER
Clea Johnson	Ruth Nielson	Cleal Bradford	Richard Mainord	Hugh Kirkham

Motion was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried that the recommendation of the Planning Commission as stated in the foregoing Memorandum, be, and the same is hereby, adopted by the City of Blanding.

Mayor Gibbons effected the reassignment of the Council members consistent with the foregoing organization chart. The Council agreed that the new Task Committees should be organized by not later than November 5, 1980.

4. The following ordinance was read in full to the Council by Councilman Lyman:

BLANDING CITY ORDINANCE

No. 1980-5

AN ORDINANCE AMENDING PARTS 13-214, 13-242 G.
AND 13-254 OF THE CODE OF REVISED ORDINANCES OF
THE CITY OF BLANDING RELATING TO FEES IMPOSED
FOR ANIMAL CONTROL, OPERATION OF DOG KENNELS,
AND REDEMPTION FEES FOR IMPOUNDED DOGS.

BE IT ORDAINED by the City Council of the City of Blanding, A Municipal Corporation of the State of Utah, that:

Section I. Part 13-214, Chapter 13-200, Code of Revised Ordinances of the City of Blanding, as adopted by Ordinance No. 1978-1, is amended as follows:

13-214. FEES - SERVICES OF POUNDMASTER.

The poundmaster shall charge, and the owners of animals taken into his possession for impound disposal or other services shall pay, such fees and charges for services performed by the pound or poundmaster as the governing body shall establish from time to time by resolution. All fees received by the poundmaster shall be paid over to the municipal treasurer. All fees set forth in this Chapter 13-200 may be changed by resolution of the governing body unless expressly required that the change be made by ordinance.

Section II. Part 13-242 G., Chapter 13-200, Code of Revised Ordinances of the City of Blanding, as adopted by Ordinance No. 1978-1, is amended as follows:

13-242 G. LICENSE AND REGISTRATION REQUIRED.

Anyone owning, keeping, harboring, or maintaining three or more dogs over the age of three months shall be considered operating a dog kennel and shall be required to keep the animals in a fenced area on his/its property. In addition, if the person or entity engages in any activity commonly attributable to a commercial kennel, e.g., grooming, keeping the dogs of another, buying or selling for gain, showing, etc., then that person or entity shall be required to pay an annual kennel license fee of fifty dollars (\$50.00) per year.

Section III. Part 13-254, Chapter 13-200, Code of Revised Ordinances of the City of Blanding, as adopted by Ordinance No. 1978-1, is amended as follows:

13-254. REDEMPTION OF IMPOUNDED DOGS.

Any dog impounded as a licensed or unlicensed dog may be redeemed and taken from such pound by the owner or any authorized person, upon exhibiting to the supervisor or person having charge of said pound, a certificate of registry as provided in section 13-252, showing that the license imposed by this part has been paid for such dog and upon paying the person in charge of the pound an impounding fee of fifteen dollars (\$15.00) for the first time impounded and thirty-five (\$35.00) for each subsequent impoundment(s) of the same animal within a six month period, plus the actual cost of keeping and maintaining the dog for the full period for which it is impounded . as certified by the poundmaster. All impounded dogs not redeemed within three (3) days shall be sold for the best price obtainable at either private or public sale, and all moneys received from such sales shall be paid daily to the treasurer. All dogs that are not sold or redeemed in the required time shall be disposed of in a humane manner.

Section IV. In the opinion of the City Council, it is necessary to the peace, health and safety of the inhabitants of the City of Blanding, Utah, that this Ordinance become effective immediately.

Section V. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding this 8th day of October, 1980.

S/ De Lamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

Date of Posting: 10-9-80

Motion for adoption of the foregoing ordinance was made by Councilman Bradford and seconded by Councilman Lyman, voting on the motion being as follows:

Those voting "aye":	Councilman Bradford
	Councilman Lyman
	Councilwoman McDaniel

Those voting "Nay"	None
--------------------	------

Those absent:	Councilman Black
	Councilman Hunt

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried and Ordinance No. 1980-5 duly adopted.

5. Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1980-17

A RESOLUTION ESTABLISHING DOG LICENSE
AND DOG POUND FEES

BE IT RESOLVED by the City Council of the City of Blanding, that the annual license fee for owning, keeping, harboring or maintaining a dog within the City of Blanding shall be \$10.00 for male and spayed female dogs, and \$20.00 for unspayed female dogs; and that pound fees shall be \$3.00 per day.

PASSED, ADOPTED and APPROVED this 8th day of October, 1980.

S/ De Lamar Gibbons, M. D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

6. Mayor Gibbons advised the Council of receipt from the Federal Aviation Administration of requirements and special conditions relative to participation of Minority Business Enterprises in Department of Transportation projects and stating that the current Blanding Airport project is subject to such requirements and special conditons.
7. Councilman Bradford requested that members of the City Council be given keys to the west entrance of the City Office building to permit them access to the Council's chambers for Commission and Committee meetings. The Recorder agreed to have keys available for all desiring them.
8. Councilman Bradford advised that some local livestock businessmen have complained that the City provides no place for them to obtain water for hauling to livestock. The Recorder advised that no restrictions have been imposed on utilization of the water loading valve at the Fire Station and that many stockman as well as others, use the facility regularly.
9. Councilman Bradford reported that the Blanding Irrigation Company and San Juan County Water Conservancy District desire that with respect to utilization of water allocated to the Recapture Dam Project Blanding City determine what its culinary water needs would be for a given five year period, and then an acre-foot price could be established for the water.
10. Councilman Lyman read the following letter to the Council:

September 25, 1980
P. O. Box 627
Beaver, Utah 84713

Blanding City Council
Blanding, Utah 84511

Gentlemen:

May I take just a minute to express my appreciation for services rendered at this specific time, as well as on an on-going basis, by members of the Blanding City Police department.

Our business establishment there in Blanding (Western Auto) was recently robbed of merchandise of sufficient value to constitute a felony. Our son, Jim, the store manager, indicated that the police officers were prompt at the scene, were efficient in gathering of data, and were professional in every way. Jim indicated to me at that time that he felt very optimistic about the probable solution of the robbery and apprehension of those responsible. Jim's call to me last night indicating apprehension of at least one individual thus far validates that confidence.

May I specifically commend officer Tom Austin (whom I am advised was primarily responsible for the handling of this particular case) for a job well done, but also may I recognize the valued services of the other officers as well. More than once as I have been at the store for my monthly business visits I have noticed these men carefully attending to evening surveillance duties in a very thorough and professional manner. City revenues used toward the salaries of these men are funds well invested. I'm not sure their contribution to the "good life" most of us enjoy is always appreciated by the general public.

Cooperation from our establishment in prosecution is assured. I am more interested in maximum than minimum corrections. My experience in dealing with youth for many years has taught me well the lesson that corrections in behavior are best remembered and are most effective, for youth consistently in trouble, when they are those of firm and lasting consequence. We pledge similar "surprise" for anyone else caught stealing in our store, regardless of who they are or the size of the theft.

Thank you for your service.

Sincerely,

S/ Lynn Haslem

CC: Mr. Tom Austin - City Policeman - Blanding, Utah
Mr. Jim Haslem - Manager Western Auto - Blanding, Utah

11. Councilman Lyman commended the Police Department for their service to the City and presented the following Department Activities Report for the month of September, 1980:

SEPTEMBER ACTIVITIES 1980

Calls:	192	Warnings:	29
Citations:	19	School Checks:	499
Business Checks	1710	Agency Assists:	37
Arrests:	18	Minor Crimes:	12
Collisions:	3	Major Crimes:	5

Mileage

Vehicle #11	48522
Vehicle #12	3933

Miles

Vehicle #11	1087
Vehicle #12	1081

Hours

Wright	150 plus 4 days vacation
Austin	214
Gutke	187
Ewart	177
Reserves	59

12. Councilwoman McDaniel advised that grading and general maintenance work needs to be done in the sidewalk-curb-street area at North Main Street. The Recorder advised that this is a scheduled Street Department project.

13. Councilwoman McDaniel stated that she will obtain a proposal from Sanford Landscaping for installation of a sprinkling system at the proposed park north of the San Juan Nursing Home.

14. The Engineer advised that he is still pursuing the matter of determining possible leakage from the Johnson Creek pipeline.

Meeting adjourned at 10:10 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD NOVEMBER
12, 1980 AT 8:00 O'CLOCK P.M. IN THE
CITY HALL

Present were: Mayor DeLamar Gibbons, M. D.

City Council Members: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Asst. Administrator: R. Dwight Laws

Also present: Mrs. Clea S. Johnson, Blanding City Planning Commission; Mr. Kimball Young, Boetcher and Company; Mrs. Marsha Keele; Mrs. Lynda Shumway.

1. Prayer was offered by Councilman Hunt.
2. Minutes of City Council meeting held October 8, 1980 were approved.
3. Mayor Gibbons reported the following:
 - a. Mr. Tom Redd has proposed that he develop a hydroelectric power generating system utilizing the Blanding City Johnson Creek pipeline as the energy source.
 - b. The San Juan Nursing Home has a waiting list of patients desiring entrance and service. Agencies have suggested that housing facilities may be adjacent to the nursing home which could handle those individuals not requiring full nursing home care and whose limited needs could be met by the nursing home staff. Mayor Gibbons has commenced the application process to secure such housing.
 - c. The Utah Department of Health has declared the Blanding City water system unapproved because the City has not submitted adequate water samples to be analyzed at the state laboratory. The City has been submitting two samples monthly and are now required (without apparent notice) to submit four monthly samples.
4. Councilman Lyman read in full to the Council, a proposed ordinance for regulating the use of controlled substances within the City of Blanding.

Questions were raised by the Mayor and Council relative to Sections 13-372.1 c and 13-373.6 b,c of the proposed ordinance. Action on the ordinance was deferred subject to further study of the questioned sections by the City Attorney.
5. A public hearing was conducted by the Council relative to the Blanding City HUD Small Cities Program application for funding improvements to the City Water System, in accordance with notification of such hearing as posted and as advertised in the San Juan Record.

Mrs. Lynda Shumway had to leave the meeting but requested Mrs. Marsha Keele inquire as to whether or not funds for Parks development are available under the HUD Small Cities Program. The Council concluded that funding for parks development is not available under the HUD Small Cities Program.

No other comment was received relative to the public hearing and the same was declared closed.
6. Councilman Black reported on and discussed the following matters:
 - a. Holliday Construction Company will be hired to again clean the roadway at the City dump. Signs are needed at the dump site indicating where certain type of refuse should be deposited and stating the penalty for violation of dumping regulations. Councilman Black will assist the Waste Collection personnel one day during the ensuing week to get a better understanding of the problems they face.

- b. The area at the Johnson Creek pipeline water inlet should be excavated to determine if considerable water is by-passing that structure.

Motion was made by Councilman Bradford, seconded by Councilman Black and unanimously carried that the City authorize excavation of the area at the Johnson Creek pipeline water inlet, subject to approval of the same by the U. S. Forest Service, the project to be accomplished by the San Juan County Road Department or by a contractor satisfactory to the City Engineer.

- c. The San Juan County Road Department has agreed to grade the area on the East side of 4th West Street for a distance of approximately 300 feet south of 800 North Street, so that the area drainage will flow Northward into an existing concrete dip.

7. Councilman Bradford introduced Mr. Kimball Young of Boetcher and Company. Mr. Young advised the Council that his Company is getting increasingly involved in the field of municipal finance and invited the City to utilize their services should the need arise.

8. In accordance with Item 6 of the minutes of the proceedings of the Council at their meeting of October 8, 1980, the following Task Committees were officially appointed by Mayor Gibbons with the advise and consent of the City Council:

TASK COMMITTEE OF PUBLIC HEALTH

Jon L. Hunt, City Council Representative
Clea S. Johnson, Planning Commission Representative
LaRay Alexander
Alberta Gibbons
Caroline Hunt
Keele Johnson

TASK COMMITTEE ON STREETS, PARKS & RECREATION, AIRPORT

LaRue McDaniel, City Council Representative
Ruth Nielson, Planning Commission Representative
Norman Johnson
Judy Mainord
Bryce Redd
Patsy Shumway

TASK COMMITTEE ON PUBLIC SAFETY

Francis M. Lyman, City Council Representative
Richard Mainord, Planning Commission Representative
John B. Wright, Chief of Police
Lynn A. Wright, Fire Chief
Pamela Bronson
Joslyn Johnson

9. Councilman Bradford reported that the Chamber of Commerce has accepted the assignment to serve the Task Committee for Community Promotion.

10. Councilman Lyman again commended the Police Department for their service and presented the following department activity report:

OCTOBER 1980

Calls:	137	Collisions:	1
Citations:	12	Warnings	19
Business Checks	1490	School Checks	409
Arrests	20	Assists	34
Major Crimes	4	Minor Crimes	14

Mileage

Vehicle #11	49697
Vehicle #12	5271

Miles

Vehicle #11	1175
Vehicle #12	1338

Hours

Wright	181
Austin	205
Gutke	154
Ewart	168
Part-time	32

11. Councilman Lyman discussed with the Council the possibility of a Juvenile Detention Facility being constructed in the area of the Social Services Building near 500 North 100 East Street. The project is apparently still in the planning stage and will involve the State of Utah, Utah Department of Indian Affairs and San Juan County.

12. Councilwoman McDaniel discussed with the Council the need for a meeting between the City and San Juan County officials to develop a workable street maintenance and construction program, and accepted the assignment to attempt to get such a meeting scheduled.

Mrs. McDaniel also discussed with the Council, the need for street lights at 200 and 500 North on 100 East Street. The Council agreed that lights should be installed at these locations.

13. The Council received the following proposals for sale to the City of a waste collection unit:

<u>Name of Bidder</u>	<u>Unit Specifications</u>	<u>Amount</u>
TESCO	<u>REFUSE BODY</u> Heil Formula 4000 20 cu. yd Body 2½ cu. yd. Hopper Capacity 26 Sec. Cycle Time Cushioned Cylinders to meet EPA Noise Impact Law (Oct. 1, 1980) MOUNTED ON FORD (1981) Ln-800 Model 429 V/8 Engine 12,000 lb Front Axle 22,000 lb. Rear Axle 50 gal gasoline tank Power Steering	\$33,825.00
Western Road Machinery	<u>REFUSE BODY</u> Pak-Mor Model R-120 20 Cu Yd Body 1.92 Cu yd. Hopper Capacity MOUNTED ON FORD C-700 (Assume 1981 Model) Gasoline Engine	\$34,232.00

The Council discussed possibilities for financing a waste collection unit. Mr. Kimball Young advised that his firm, Boetcher and Company, would like to submit a proposal for financing such a unit.

Motion was made by Councilman Black, seconded by Councilman Bradford and unanimously carried that the City accept the proposal of TESCO for sale to the City of a waste collection unit at a price of \$33,825.00, and that the City Administrator be authorized to make arrangements for financing purchase of the unit, including if necessary, the transferring of 50% of the purchase price from the Electric, Water and Sewer Operating Fund as a contribution to the General Operating Fund.

14. The Engineer reported no results as yet on the effort to trace leakage of water from the Johnson Creek pipeline in the Dusett Draw area.

15. The Engineer discussed with the Council possible dates for a public hearing on the City's 201 Sewer Facility Plan study. The Council agreed that such hearing should be held on November 26, 1980 and ordered the posting and publication of the required notices.

Meeting adjourned at 10:35 P.M.

Francis D. Nielson, Recorder

MINUTES OF A REGULAR MEETING OF THE BLANDING
CITY COUNCIL HELD NOVEMBER 26, 1980 AT 8:00
O'CLOCK P.M. IN THE CITY HALL

Present were: Mayor DeLamar Gibbons, M.D.

City Council Members: Bruce N. Black
Cleal Z. Bradford
Francis M. Lyman
LaRue McDaniel
City Recorder: Francis D. Nielson
City Engineer: Philip L. Palmer
Assistant Administrator: R. Dwight Laws

Absent was City Councilman Jon L. Hunt

Also Present: Gilbert R. Horrocks & Rex V. Harrison, Horrock's Engineers; Wm. B. Redd, Blanding Merc. Co.; Don B. Jack, Supt. of Schools, San Juan Co.; Fred E. Halliday, Blanding Utah Stake President; Scott A. Hurst & Joe N. Hurst, Hurst Construction Co.; LaRell C. VanDyke, D.D.S., Drew VanDyke; P. V. Redd, Reva V. Redd, Parley Redd Merc.; Howard Randall, Pres. Blanding Chamber of Commerce; Dayne Shumway; Bruce L. Shumway, Director, Region VII Social Services; Don E. Smith, Smith Plumbing & Heating; Jerry Holliday, Holliday Construction Co.; Terry Certonio, C & C Construction Co.; Kirk P. Nielson, Dana Nielson, Pay Day Drug Co.; J. Merlin Grover, Region VII, Social Services; C. Craig Halls, Attorney at Law; Greg Christensen, Manager 1st Security Bank; Stan Perkins, Strout Realty; Marsha Keele, Reporter; Norman L. Johnson, Business Manager, Energy Fuels Nuclear Inc.

1. Prayer was offered by Councilman Bradford.

2. Minutes of City Council meeting held November 12, 1980 were approved.

3. The Council conducted a public hearing relative to the Blanding City Wastewater Facility Plan.

Mr. Gilbert R. Horrocks of Horrocks Engineers presented background information on the existing wastewater treatment facilities, previous studies completed by other engineering consultants and treatment standards and requirements mandated by federal and state regulations.

Mr. Rex V. Harrison of Horrocks Engineers explained the various wastewater treatment methods studied relative to Blanding City needs, detailing the capital costs and cost effectiveness of such methods as follows:

PRELIMINARY ALTERNATIVES ECONOMIC ANALYSIS

Alt#	Estimated Capital Cost	Initial O & M	Design Year O & M Cost	20 Year Salvage Value	EPA Selection Criteria (1)
1-A	2,110,000	27,800	39,500	12,000	262,700
2-A	1,094,800	27,200	38,650	24,000	150,500
3-A	1,220,700	15,000	15,750	36,000	148,300
4-A	1,231,300	14,750	14,750	48,000	148,700

Note: All costs are at September 1981 Price level estimated ENR
CCI = 3450

(1) Based on 9% interest for 20 years.

Mr. Harrison stated that Horrocks Engineers recommends the acceptance of alternative No. 3-A as the acceptable mode of wastewater treatment for Blanding City.

The following questions were received from interested citizens, responded to by Mr. Gilbert R. Horrocks:

QUESTION: From Scott A. Hurst, Hurst Construction Company. What is the estimated cost of required chlorination equipment?

ANSWER: Approximately \$4,000.00

QUESTION: From Stanley Perkins, Strout Realty Agent. Is chlorination of the effluent required when land application is the mode of treatment?

ANSWER: Yes.

Question: From Mayor Gibbons. How much danger is there from water foul flying from the sewer lagoons to the culinary water storage reservoirs?

Answer: The treatment process at the City water treatment plant is designed to control this type problem.

Question: From Mr. Dayne Shumway. Has there been any consideration for control of mosquitos at the lagoon sites?

Answer: Mosquito control costs were considered in the operation and maintenance costs estimate.

Question: From Scott A. Hurst, Hurst Construction Company. What is the estimated cost of the required sewer outfall line construction?

Answer: \$463,000.00

Question: From Jerry Holliday, Holliday Construction Company. Can the project be constructed in stages?

Answer: Subject to the approval of pertinent federal and state agencies, construction of the project could be staged. However, the problem of continuing inflation indicates this would be false economy.

Question: From Stanley Perkins, Strout Realty Agent.

1. How will the City meet its share of the costs?
2. Is the City planning water developments to permit population expansion?

Answer: 1. The City anticipates loan and grant funds from Farmers Home Administration and the Four Corners Regional Commission with which to finance the wastewater treatment facilities construction.

2. The City has a water system master plan which anticipates approximately \$2,100,000.00 in water system improvement projects.

Question: From Howard Randall, President, Blanding Chamber of Commerce. Following completion of the proposed wastewater treatment facilities will the City allow ground water accumulations in residential basements to be discharged into the sewer system?

Answer: No.

Question: J. Merlin Grover, Region VII Social Services. What will be the restrictions placed on use of land adjacent to the sewerage lagoons?

Answer: Land use application of sewerage effluent limits crops to forage for non-dairy animals and crops other than vegetables. There will be no pasturing of areas within lagoon confines.

Question: From Craig C. Halls, Attorney at Law. Will the City farm the areas adjacent to the lagoons?

Answer: The City may or may not but will probably contract with others to do the farming.

Question: From LaRell C. VanDyke, D.D.S. Would a sprinkling irrigation system be more acceptable and economical as opposed to flood irrigation when the run-off problem is considered?

Answer: Cost of equipment for sprinkling irrigation is high and a buffer zone for aerosal protection would be required.

Question: From J. Merlin Grover, Region VII Social Services. Could the risk of run-off be reduced by increasing the land area for land application use?

Answer: The risk of run-off would be reduced by increasing the area utilized for land application of the effluent.

Question: From Bruce L. Shumway, Region VII Social Services. Why has there not been more consideration for adopting alternative 2-A when the initial estimated capital outlay is considerably less than the estimates for the other alternatives?

Answer: The estimated operation and maintenance costs of Alternative 2-A eliminate it as the most practical treatment method.

Question: From Cleal Z. Bradford, Blanding City Councilman. Could the City allocate enough ground to the land application process to preclude the necessity for installation of the effluent run-off return pumping equipment?

Answer: There is no way to avoid the necessity for the effluent run-off return pumping equipment.

Question: From Stanley Perkins, Strout Realty Agent. What is the time schedule for implementing the acceptable plan?

Answer:

<u>Item</u>	<u>Target Dates</u>
Facility Plan Submitted	12-15-80
Facility Plan Approval & Step II Grant Offer	2-1-81
Begin Design	2-1-81
Complete Design	5-1-81
Plans & Specifications Approval	6-1-81
Bid Opening	7-1- 1
Step III Grant Offer	7-1-81
Award Contract	8-1-81
Begin Construction	8-15-81
50% Complete	10-15-81
Complete Construction	12-15-81

Question: From Norman L. Johnson, Business Manager, Energy Fuels Nuclear, Inc. Could the effluent discharged from the sewer treatment facilities be utilized for industrial purposes?

Answer: Yes, subject to further treatment as required by the Utah Department of health.

Question: From Howard Randall, President, Blanding Chamber of Commerce. Because of lower operating and maintenance costs, would not total containment as proposed in alternative 4-A, be a more economical way of solving the sewerage treatment problem?

Answer: Alternative 3-A, Land Application, and 4-A, Total containment, are very nearly equal in cost effectiveness. The advantage of 3-A is that it allows some beneficial use of the remaining water.

Question: From Stanley Perkins, Strout Realty Agent. What will the estimated service rate charge be following project completion and will the improvements allow for additional connections to the sewer system?

Answer: The estimated service rate charge will be \$4.00 per month per residential connection. The purpose of the project is to correct existing deficiencies and to allow for expansion.

Question: From Bruce L. Shumway, Region VII Social Services. With reference to Table VI-I of the Blanding 201 Facility Plan for Wastewater Treatment Amendment, why are the line items listed under Blanding Effluent greater than those listed under Recommended Limit for Continuous Use on All Soils?

Answer: The line items listed under Blanding Effluent are the result of analysis of a grab sample of the effluent currently being discharged from the Blanding Sewer Lagoons. The line items listed under Recommended Limit for continuous use on All Soils are the limits to be achieved from the proposed sewer system improvements.

No further questions were received. Mr. Gilbert Horrocks expressed the appreciation of his firm for the citizen interest shown in the Blanding City 201 Facility Plan for Wastewater Treatment.

Mayor Gibbons expressed the appreciation of the City for those attending and taking part in the Public Hearing relative to the City 201 Facility Plan Study.

Motion for adoption of the following resolution was made by Councilwoman McDaniel, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1980-20

A RESOLUTION ACCEPTING THE 201 FACILITY PLAN
FOR WASTEWATER TREATMENT-AMENDMENT AND APPROV-
ING ALTERNATIVE 3-A OF SUCH PLAN.

WHEREAS, the City Council of the City of Blanding, Utah has recognized the necessity for improvements and enlargements to the City sewer system; and

WHEREAS, through the cooperative efforts of the United States Environmental Protection Agency, The Utah Department of Health and the City of Blanding, a study of sewerage treatment facilities has been completed; and

WHEREAS, such study has considered the merits of all acceptable methods of sewerage treatment, inclusive of cost effectiveness of the same; and

WHEREAS, the results of such study indicate that 120 Day Detention Lagoons Followed by Land Application of Treated Effluent is an equally cost effective method of treatment and would allow further use of a valuable water resource;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Blanding, Utah that the 201 Facility Plan for Wastewater Treatment-Amendment, as prepared by Horrocks Engineers, be, and the same is hereby accepted; and further that Alternative 3-A, 120 Day Detention Lagoons Followed by Land Application Disposal of the Effluent as recommended in the said 201 Facility Plan be approved as the acceptable method for sewerage treatment by the City of Blanding and that the firm of Horrocks Engineers be authorized to proceed with the necessary engineering for implementing such approved treatment works, subject only to approval of the same by qualifying federal and state agencies.

PASSED, ADOPTED and APPROVED this 26th day of November, 1980.

S/ DeLamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
Recorder

4. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilwoman McDaniel and unanimously carried:

RESOLUTION NO. 1980-18

A RESOLUTION AUTHORIZING CONDEMNATION OF 50+
ACRES NEAR STARVATION, SAN JUAN COUNTY UTAH

A meeting of the City Council of the City of Blanding, State of Utah, was held at the Blanding City offices, Blanding, Utah, on the 26th day of November, 1980. A quorum of the City Council being present, whereupon the following resolution was offered, seconded and adopted:

RESOLVED, by the Blanding City Council, hereinafter Council, that it finds and determines and hereby declares: The public interest and necessity require the acquisition of certain properties for water development purposes. The public interest and necessity require immediate occupancy for said public purpose of the real property, or interests in real property, hereinafter described.

The acquisition of the property hereinafter described is necessary for the development of the waterworks and supply system for the City of Blanding.

This action is authorized by the Statutes and Constitution of the State of Utah and particularly Title 10, Chapter 7, Section 4, Utah Code Annotated, 1953, as amended.

BE IT FURTHER RESOLVED by the City that the City Attorney shall be requested, on behalf of the City:

To acquire, in the name of the City, the said hereinafter described real property, or interests in real property, by condemnation in accordance with the provisions of the Statutes and of the Constitution of Utah relating to eminent domain;

To prepare and prosecute such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such acquisition;

To obtain, from said court, an order permitting the City to take immediate possession and use of said real property, or interests in real property, for water development purposes, or purposes incidental thereto.

BE IT FURTHER RESOLVED that the Blanding City Treasurer shall be requested, on behalf of the City:

To prepare Warrant in the amount of the approved appraisal of each parcel of real property, or interest in real property set forth and described herein; payee to be the Clerk of the District Court of the County wherein the real property is located, for the use and benefit of the landowners and/or lienholder as described herein;

That a tender to the landowners of a sum equal to the fair market value of the property to be acquired for rights of way herein shall be made prior to issuance of Order of Immediate Occupancy;

The real property, or interests in real property, which the City is by this resolution authorized to acquire for said public use, is situated in the County of San Juan, State of Utah, and is described as follows:

RECORDED OWNER: Eugene Shumway and Kathryn Shumway; Kenneth D. Shumway and Chloe Ann Shumway.

ADDRESS: Blanding, Utah 84511

PARTIES IN INTEREST: None.

ADDRESS:

LIENHOLDER: None.

ADDRESS:

APPROVED APPRAISAL: \$1,750.00 per acre.

A parcel of land in fee for water development purposes, described as follows:

Beginning at a point which is North 52°55'55" West 1203.91 feet from the Southeast corner of Section 3, T. 36S, R. 22 E, SLB&M. Proceeding thence N 33°21'49" West 725.90 feet, thence N 81°17'29" W. 672.09 feet, thence S. 22°38'12" W. 787.30 feet, thence S 84°45'48" W. 330.41 feet, thence S. 17°53'31" E. 1208.89 feet crossing into the NW ¼ of the NE ¼ of Section 10; continuing thence S. 82°57'42" E. 101.85 feet, thence N. 72°14'32" E. 810.97 feet, thence N. 41°24'44" E. 780.29 feet crossing into the SE ¼ of the SE ¼ of Section 3; continuing thence N. 9°46'47" W. 384.73 feet to the point of beginning. Containing approximately 50 acres.

Nov. 26, 1980

-6-

DATED this 26th day of November, 1980.

CITY OF BLANDING
S/ De Lamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

5. Motion for adoption of the following resolution was made by Councilman Black, seconded by Councilman Lyman and unanimously carried:

RESOLUTION NO. 1980-19

A RESOLUTION ADOPTING ELECTRIC POWER RATE SCHEDULES

BE IT RESOLVED by the City Council of the City of Blanding, Utah
that:

1. The City adopt in total the following Utah Power and Light Company Electric Rate Schedules and Electric Service Regulations for electric service to its various electric customers and that said rate schedules and service regulations be made a part hereof by reference:

Electric Service Schedule No. 1.
Electric Service Schedule No. 2.
Electric Service Schedule No. 3.
Electric Service Schedule No. 4.
Electric Service Schedule No. 5.
Electric Service Schedule No. 6.
Electric Service Schedule No. 10.
Electric Service Schedule No. 11.
Electric Service Schedule No. 19.
Electric Service Regulation No. 5.

2. The effective date for these schedules shall be November 26, 1980.

3. All previous schedules for electric service and electric service regulations in conflict herewith are hereby cancelled.

PASSED, ADOPTED and APPROVED this 26th day of November, 1980.

S/ De Lamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

6. The following ordinance was read in full to the Council:

ORDINANCE NO. 1980-6

AN ORDINANCE REGULATING THE USE OF CONTROLLED
SUBSTANCES WITHIN THE CITY OF BLANDING.

BE IT ORDAINED by the City Council of the City of Blanding, A Municipal Corporation of the State of Utah, that:

Section I. Chapter 13-300 of the Code of Revised Ordinances of the City of Blanding, is amended by adding thereto Part 13-370 as follows:

PART 13-370. CONTROLLED SUBSTANCES.

13-371. DEFINITIONS.

For the purpose of this chapter, the definitions, classifications, classification procedures, and legal procedural rules contained in the "Utah Controlled Substance Act", as set forth in Title 58, Chapter 37, Utah Code Annotated, 1953, as amended, are hereby referenced unless otherwise stated or implied hereafter.

13-372. POSSESSION, USE, PERMITTING POSSESSION OR USE, AND ILLEGAL ACTIVITIES BY A LICENSED PRACTITIONER.

1. It shall be unlawful:

(a) For any person knowingly and intentionally to possess or use a controlled substance, unless it was obtained pursuant to a valid prescription or order or directly from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this subsection.

(b) For any owner, tenant, licensee, or person in control of any building, room, tenement, vehicle, boat, aircraft, or other place, knowingly and intentionally to permit the same to be occupied by persons unlawfully possessing, using, or distributing controlled substances therein.

(c) For any person knowingly and intentionally to be present where controlled substances are being used or possessed in violation of this act and the use or possession is open, obvious, apparent, and not concealed from those present. No person shall be convicted under this subsection if he did not use the substance himself or advise, encourage, or assist anyone else to do so; provided any incidence of prior unlawful use of controlled substances by the defendant may be admitted to rebut this defense.

(d) For any person knowingly and intentionally to possess an altered or forged prescription or written order for a controlled substance.

2. A violation of any part of subsection (1) shall be deemed a Class B misdemeanor provided this does not preclude any state or county prosecutor or law enforcement agency from prosecuting repeat or subsequent violations according to state law.

13-373. PARTICULAR SUBSTANCES AND OFFENSES.

1. The provisions of this Part 13-370 are in addition and supplemental to provisions of Chapter 13-300, and are not to be construed to modify or repeat any part or parts thereof; or limit or restrict in any way the meaning or affect of those sections.

2. The City Council of the City of Blanding, as a result of extensive study and observation, finds and determines that certain chemical substances, commonly referred to as "drugs" or "narcotics", have been and are being introduced into the community and its culture, and that as provided in Section 10-8-84, Utah Code Annotated, 1953, the city may pass all ordinances and rules necessary for carrying into effect the powers and duties conferred upon municipalities and such as are necessary and proper to provide for the safety and to preserve the health and to improve the morals, peace and good order of the city and its inhabitants; and the Blanding City Council expressly finds that this Ordinance is necessary to achieve those objectives ~~and those~~ others which the city is legislatively authorized to pursue and achieve.

And whereas Section 10-8-60, Utah Code Annotated, 1953, authorized municipalities to declare what shall be a nuisance and to abate the same

and impose fines upon persons who may create, continue, or suffer nuisances to exist; the city council does hereby find that the acts herein defined constitute the creation, maintenance, or sufferance of nuisances in addition to other criminal offenses which are defined and prohibited.

3. Nuisances - Violations. Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, is resorted to for the purpose of using narcotic drugs or other habit-forming drugs, or which is used for illegal keeping of or selling of the same shall be deemed a common nuisance. Any person who shall open, keep or maintain such a place is guilty of a misdemeanor punishable by fine or imprisonment or by both fine and imprisonment as provided in Section 6 hereof.

4. Narcotic Drugs Defined. "Narcotic drug" means coco leaves, opium, isonipecaine, amidone, isoamidone, ketobemidone, cannabis or marijuana, and every other substance which may have a different name but is neither chemically nor physically distinguishable from them and also all narcotic drugs classified as a narcotic drug under the Federal Narcotics Act.

5. Other definitions.

(a) "Cannabis" or "Marijuana" includes all parts of the plant Cannabis Sativa L; whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; but shall not include the mature stalk of such plant, fiber produced from such stalk, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination. Any synthetic equivalents of the substances contained in the plant cannabis sativa, or in the resinous extractives of cannabis species and/or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity shall also be included.

(b) "Possession" or "use" means the joint or individual ownership, control, occupancy, holding, retaining, belonging, maintaining, obtaining, or the application, inhalation, swallowing, injection, consumption, devouring or otherwise utilizing narcotic drugs, as defined herein, as distinguished from the sale or selling of such drugs and is intended to include individual or joint use or possession such as "pot parties" or other group possession or use or control. For a person to be the possessor or the user of a narcotic drug, it shall not be required that he individually be shown to have individually possessed or used or controlled the drug, but it shall be sufficient if it is shown that he jointly participated with one or more persons in the use or possession or control of such narcotic drugs with knowledge that such activity was occurring. Provided however, that a person shall not be convicted of group possession if he did not use the drug himself or advise, encourage or assist anyone else to do so. Any incidence of prior drug use by said defendant may be admitted to rebut this defense.

6. Prohibited Act.

(a) It shall be unlawful for any person to possess, as herein defined, use, ingest, or receive any narcotic drug.

(b) Hallucinogens. It shall be unlawful for any person to possess or use dextro-lysergic acid diethylamide (LSD), except under the direction and prescription of a licensed physician while acting in the course of his professional practice.

(c) Hypodermic Injections Prohibited. No person shall, for the purpose of causing a condition of hallucination, consume, inject by the use of hypodermic needles or devices, or ingest dextro-lysergic acid diethylamide (LSD) in any form; provided, however, that nothing in this section shall

interpreted as applying to the use thereof in connection with the treatment by licensed medical doctors or hospitals of patients suffering from the physical or mental disorders where its use is a part of or connected with the prescribed treatment of such disorders or such use in connected with legitimate legal research.

7. Violation a Misdemeanor. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed \$299; or by imprisonment for a period of six (6) months, or by both such fine and imprisonment.

Section II. In the opinion of the City Council, it is necessary to the peace, health and safety of the inhabitants of the City of Blanding, Utah, that this ordinance become effective immediately.

Section III. This Ordinance shall take effect immediately upon posting.

PASSED by the City Council of the City of Blanding this 26th day of November, 1980.

CITY OF BLANDING
S/ DeLamar Gibbons, M.D.
Mayor

ATTEST:

S/ Francis D. Nielson
City Recorder

DATE OF POSTING: November 28, 1980.

Motion for adoption of the foregoing Ordinance was made by Councilman Bradford and seconded by Councilman Lyman, voting on the motion being as follows:

Those voting "Aye": Councilman Black
Councilman Bradford
Councilman Lyman
Councilwoman McDaniel

Those voting "Nay": None

Those Absent: Councilman Hunt
constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried and Ordinance No. 1980-6 duly adopted and approved.

7. Councilman Lyman expressed to the Council the concern of the Justice of the Peace over the desires of the Council to assess a maximum fine on those first time offenders found guilty of use of a controlled substance.

The Council advised that it is their desire that the current policy relative to assessment of fines for violation of the law relative to use of controlled substances, be maintained.

8. Mayor Gibbons advised that pornographic literature may be being dispensed at a local store. The Council requested copies of Chapter 13-1200 of the Revised Ordinances of the City of Blanding, be delivered to all magazine and book vendors within the City, together with a statement advising the intent of the City Council to enforce said Chapter in its entirety.

9. Mayor Gibbons requested the Council members to give consideration to an allowance to the Gibbons Family Corporation in connection with Curb, Gutter and Sidewalk installation by them on Main Street between 4th and 5th South Streets, equal to that granted other residents in that area.

10. Mayor Gibbons discussed with the Council the possibility for a private venture near the San Juan Nursing Home wherein housing would be developed to house individuals not requiring full services of the nursing home but would be aligned with the nursing home operation, thus affording a more economical partial service rate. He suggested for Council consideration, a possible land exchange between himself and the City wherein he would receive land lying adjacent to the north side of the San Juan Nursing Home property, in exchange for land lying south of the Blanding Municipal Airport.

11. Councilman Black recommended to the Council the purchase of two additional traps for use in live trapping of dogs. The Council authorized such purchase.

12. Councilman Black discussed with the Council, problems relative to the Waste Collection program of the City inclusive of the dump ground operation and difficulties encountered by the City personnel in handling garbage and trash collection. He highly commended the City Waste Collection personnel for service rendered.

13. Councilwoman McDaniel discussed with the Council the necessity for protective signing at the South Park.

14. Councilwoman McDaniel reported on attendance at a meeting with the San Juan County Commission, Blanding and Monticello City Officials relative to Street and Highway construction and maintenance problems. The County Attorney, County Surveyor, Monticello City Public Works Director and Blanding City Engineer accepted assignments to serve on a committee to prepare a cooperative streets and highways construction and maintenance program for consideration by the County, Blanding and Monticello City officials at a future date.

15. The Engineer recommended Mr. Greg Christensen be appointed a member of the Blanding City Zoning Board of Adjustment. Mayor Gibbons officially appointed Mr. Christensen to such position, which action ~~received the~~ advise and consent of the City Council.

16. The Engineer reported that results of the dye test conducted on the Johnson Creek Pipeline, indicate no leakage in the Dusett Draw area.

Meeting adjourned at 11:05 P.M.

MINUTES OF A REGULAR MEETING OF THE BLANDING
CITY COUNCIL HELD DECEMBER 10, 1980 AT 8:00
P.M. IN THE CITY HALL.

Present were: Mayor DeLamar Gibbons, M. D.

City Councilmembers: Bruce N. Black
Cleal Z. Bradford
Jon L. Hunt
Francis M. Lyman
LaRue McDaniel

City Recorder: Francis D. Nielson

City Engineer: Philip L. Palmer

Assistant City Adm.: R. Dwight Laws

City Attorney: Grant A. Hurst

Also present were: Mrs. Kerry Certonio; Mrs. Terry Carlson; Mr. Dennis Guymon; Miss Doris Guymon; Miss Elizabeth Guymon; Mrs. Dortha Guymon; Mr. Eugene Guymon; Mr. LaRay Alexander; Mr. Dewayne Tatro; Mrs. Marsha Keele; Mr. Eugene Orr; Mr. Steve Wilcox; Mrs. Alberta Gibbons; Mr. Wayne Scott; Mr. Maurice Pugh; Mr. Terry Summerhays; Mr. Stan Howell; Mr. Ferd Johnson, Mr. Ben Hendricks; Mr. Neldon Holt; Mr. Merlin Grover; Mr. Sterling Davis, District Engineer, Utah Department of Transportation; Mr. Rayburn Jack, Administrator, San Juan Nursing Home.

1. Prayer was offered by Councilman Black.

2. Minutes of City Council meeting held November 26, 1980 were approved.

3. Mr. Sterling Davis, District Engineer, Utah Department of Transportation, discussed with the Council, a speed zoning and intersection study completed by the Department of Transportation relative to the North and South entrances to the City and the Main Street-Center Street intersection, all on U. S. Highway 163.

Results of the study indicate that a 45 mile per hour speed limit should replace the 30 mile per hour speed limit at the south entrance to the City and such speed limit may safely hold to a point at approximately 350 feet South of 500 South Street where it shall be reduced to 30 miles per hour; that a 45 miles per hour speed limit should replace the 30 miles per hour speed limit at the North entrance to the City and such speed limit may be held to approximately midway between 100 and 200 North streets where it shall be reduced to 30 miles per hour.

The study further concludes that there is not sufficient traffic passing through the Center Street-Main Street intersection to warrant a Semaphore traffic light installation.

Motion was made by Councilman Lyman, seconded by Councilman Bradford and unanimously carried that the traffic study as carried out under the direction of the Utah Department of Transportation relative to speed zones at the North and South entrances to the City as well as a traffic control light at the intersection of Center and Main streets, all on U. S. Highway 163, be accepted and necessary required signing be authorized.

Mr. Davis discussed other area road matters with the Council, inclusive of snow removal policies, Department of Transportation participation in the proposed Recapture Dam project and the Bluff, Utah realignment project.

4. Mr. Rayburn Jack, Administrator, San Juan Nursing Home, discussed with the Council, the need and possibility of construction of rental housing adjacent to the nursing home to accommodate individuals not requiring full nursing home care. He stated that development of such a facility for the aged and handicapped would have the following advantages:

- Reduction in costs to patients.
- Providing of required services without increase in staff.
- Emergency services availability.
- Communications with public safety departments
- Intermingling of senior citizens with nursing home patients.
- Construction requirements would meet handicapped needs.

Make nursing home rooms available to those requiring complete care who are now awaiting space.

Reduce the necessity for expansion of the nursing home.

Mayor Gibbons advised that he is desirous of effecting a land exchange with the City, wherein he would obtain the land north of the San Juan Nursing Home for development of Senior Citizen and handicapped persons housing consistent with the foregoing proposal presented by Mr. Jack. No action was taken on the matter.

5. Mr. Dewayne Tatro read Blanding City Ordinance 10:244 to the Council and asked, "Why isn't this ordinance enforced?"

Considerable discussion ensued involving many of the citizens present. Mr. Tatro's apparent interest in enforcement of the stated ordinance was related to a stable kept by his neighbor which he alleged was a breeder of flies and created an offensive odor constituting a health hazard and public nuisance.

Mr. Tatro was advised that consistent with the Blanding City Ordinances an inspection of the premises alleged by him to constitute a public nuisance, had been completed by the appropriate authority and found not to be as alleged; that the same may be considered to be a private nuisance, in which case he may choose to follow the matter through the court channels available to him.

6. Mr. Dennis Guymon presented to the Council, petitions bearing 322, uncertified signatures, under the following caption:

W A N T E D

Your Signature Could Help Stop Property Loss
And Destruction Caused By Dogs. We Concerned
Citizens And Property Owners Feel The City
Leash Ordinance Needs To Be Strictly Enforced.

Considerable discussion ensued indicative of the desire of the citizenry that the dog control ordinance be enforced. The Mayor and members of the Council advised that much effort is currently being given to dog control consistent with the governing statutes and budgetary restrictions and pledged to continue the same.

7. Councilman Black requested that Mr. Don Ellis Smith and Mr. Kenneth P. McDonald be appointed to the Water System Task Committee. Mayor Gibbons so appointed the same with the advise and consent of the Council.

8. At the request of Councilman Black the matter of the proposed Dusett Draw water exchange with Mr. Eugene Shumway, was again considered by the Council. The City Administrator stated for the record that without a stipulation that the City shall have the right to develop and divert the Dusett Draw water into the City pipeline, he is opposed to the exchange.

Motion was made by Councilman Black and seconded by Councilman Lyman that the City accept the offer of Mr. Eugene Shumway to exchange the total amount of water owned by him in Dusett Draw for one-half ($\frac{1}{2}$) such amount to be taken from the Blanding City Johnson Creek Pipeline at a point suitable to Mr. Shumway; that the City shall measure the Dusett Draw water at the downstream end of the culvert in Dusett Draw on the North edge of Blanding City Reservoir No. 3, and Mr. Shumway shall measure water from the Johnson Creek Pipeline by installation of a regular water meter at or near his connection point.

Voting on the motion was as follows:

Those voting "aye":	Councilman Black
	Councilman Hunt
	Councilman Lyman

Those voting "Nay":	Councilman Bradford
	Councilwoman McDaniel

constituting all the members thereof.

Whereupon Mayor Gibbons declared the motion carried.

9. Councilman Black suggested that the City's legal counsel should correspond with Mr. Dewayne Tatro relative to the hearing process requirements of the Blanding City ordinances relative to the matter discussed in item No. 5 hereof.

10. Councilman Bradford advised the Council that the Planning Commission will meet January 7, 1981, with Mr. Jim Parasceva of the Southeastern Utah Association of Governments in attendance to train the various City Task Committees relative to their assignments in preparation of a City Master Plan. He suggested that the meeting will be beneficial for all Task Committee members in learning the process of Master Planning.

11. Councilman Hunt advised that the City Public Health Task Committee met prior to the Council meeting for the purpose of organizing and effecting individual assignments.

12. The Council discussed a request submitted through Councilman Hunt on the part of the owners of the property at 243 West 200 North Street, to waive the water connection fee charges should they effect a water connection at such property which has been served through the years by a common water meter at 189 North 200 West street.

The City Attorney raised the question as to whether or not the Council could grant such a concession without first revising the resolution under which such fees were established. The Council agreed that no action could be taken until such legal question is resolved.

13. Councilwoman McDaniel advised that the City Task Committees under her direction have met, received and accepted their individual assignments.

14. Councilwoman McDaniel requested that residents with adjacent sidewalks be sent a copy of the City Ordinance on snow removal.

15. The Engineer reported that in connection with his assignment to serve on a committee to develop a proposal for a cooperative County-City Streets and Roads construction, maintenance and snow removal program, he had attended the Committees initial meeting where the County Attorney was assigned to draft a proposal to be reviewed at a later meeting.

16. The Council authorized a street light to be installed at the corner of Perkins Street and U. S. Highway 163.

Meeting Adjourned at 11:40 P.M.

Francis D. Nielson, Recorder